

Carleton Ratifies First Collective Agreement

by Carolyn Masleck

The Carleton University Academic Staff Association (CUASA) and the Board of Governors have ratified their first collective agreement since CUASA's certification last July. Seventy-six per cent of eligible CUASA members voted on November 14, ratifying the contract by a 92 per cent vote. On the section pertaining solely to librarians, 24 out of 25 eligible members voted, favouring the contract 100 per cent.

According to Professor Jill Vickers, chief negotiator for CUASA, the contract (effective from July 1, 1975 to June 30, 1977) "meets the concerns with regard to financial stringency and governance which led us to certify at Carleton in the first place. In addition, it now protects legally the rights and privileges we have enjoyed in the past and entrenches new rights — especially with regard to grievances which will in future be settled by binding arbitration if they cannot be settled by the internal grievance committee."

The sections on financial stringency are perhaps the most important and innovative in the agreement. Prior to any declaration of stringency or any lay-offs, the Board must establish a Financial Commission of three persons chosen in consultation with CUASA from an agreed list of names. The report of the Commission would be advisory to the Board of Governors. The contract then specifies that the Board of Governors "shall not declare a state of financial stringency and/or initiate lay-offs of a member or members of the bargaining unit except on reasonable financial grounds and after rigorous economies have been introduced in all other sectors of the University." The validity of these reasons are subject to the grievance and arbitration procedure of the contract.

Hiring Freeze

The agreement stipulates the imposing of a hiring freeze from the date of any declaration of stringency by the Board until the identification of individuals to be laid off has been completed and the individuals notified by the President. The agreement provides for a cap on the amount of money

spent on sessionals teaching one course and provides for a 60 per cent reduction in the event of financial stringency. Part-time sessional lecturers teaching a greater load have been incorporated in the unit and reclassified as full-time instructors.

The contract then incorporates the procedures already passed by the Senate but not by the Board of Governors in regard to the setting of academic priorities, the distribution of cuts by faculty and the methods of determining individuals within departments.

At the end of this procedure laid-off individuals are entitled to compensation in the form of an additional 15 months notice or 12 months' salary in lieu of notice, plus one month's salary for each two years of service at Carleton to a maximum of 12 years' service.

Employees with tenure at the time of any lay-off will have the right of first refusal for a period of three years for each and every available position in his/her field and in any field in which he/she is competent. Any other employees will have the right of first refusal for a period of one year. Moreover, all laid-off employees must be automatically considered for each and every available position in his/her field for the next four years.

Professor Savage, CAUT Executive Secretary and one of the negotiators, stated that the article on redundancy went a very long way towards securing association input, a real and public determination of the financial situation, and procedural justice although the financial compensation would surely be improved in the next round of negotiations.

Salaries

In terms of wage settlements, the contract provides for each continuing employee to receive a pay amount of \$750 by November 30, 1975. In addition, each employee will have his/her salary increased by 18 per cent as of January 1, 1976, based on the new salary floors which come into effect as of January 1, 1976:

Lecturer	\$11,000
Assistant Professor	14,500
Associate Professor	18,415
Professor	23,780

Librarian I	\$12,000
Librarian II	12,800
Librarian III	16,300
Librarian IV	19,000

Instructor I	\$10,500
Instructor II	12,000
Instructor III	14,500

The agreement contains a clause which allows the Association to re-open negotiations on salaries for the period of September 1, 1976 to June 30, 1977 by giving the University notice in writing on or before the 1st of September 1976.

These adjustments will bring the salaries at Carleton up from fourteenth in Ontario to the provincial mean average, on a par with Queen's and Western University.

The salary ranking for instructors (lecturers who teach more than one course) is part of the protection provided by the agreement for these employees. The contract sets out terms or creates joint committees to generate terms for the appointment, re-appointment, confirmation, transfer and dismissal of instructor employees, which provide protections that have not existed previously for this group.

The agreement also provides for important changes in regard to the professional librarians. Besides establishing ranks for librarians, the agreement lays out conditions and terms for filling vacancies and provides for confirmation of appointment similar to tenure. The contract also establishes a University Library Committee, 50 per cent elected by the professional librarians, which will be concerned with library governance, and a Peer Evaluation Committee composed of librarians to make recommendations to the University Librarian and the President on appointment, promotion, renewal of preliminary appointment and confirmation of appointment. The

Committee will also make recommendations concerning career development increment. All such decisions are subject to the grievance and arbitration procedure of the contract.

In general the other provisions of the agreement apply to both professional librarians and faculty, such as the clauses on academic freedom, no discrimination, grievance and arbitration and the like. Librarians are also involved in the career progress plan, may apply for sabbatical leave although this is not an entitlement as in the case of faculty, and have the same fringe benefits of faculty.

Career Progress

The agreement details the Career Development Plan, whose purpose is to recognize and evaluate on an annual basis an employee's academic/professional development and merit as evidenced by his/her performance of the various functions required by employees of the academic staff in the preceding 12 months.

Employees must receive either the full increment appropriate to their rank or no increment at all. If increment is withheld, employees must receive a statement in writing from the appropriate Dean or the University Librarian and may grieve the decision. Monies which accrue as a result of discretionary denials of career development increments are to be transferred to the academic development fund.

Fringe benefits will be augmented by \$50,000 from the University to set up a dental plan by February 1, 1976. The current health benefit plans and cost-sharing arrangements will continue. However, the agreement establishes a Committee consisting of two persons named by each party which will study variations

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Concordia: One Year After

by Mike Brian and Geoffrey Adams

When two such very different institutions as Jesuit-founded Loyola and YMCA-funded Sir George Williams are brought together the vital problem for a faculty association is how to achieve the advantages of unity without sacrificing the rights and privileges of the two members. The new university was formed in September 1974 and named Concordia — hopefully an augury.

The two separate faculty associations quickly became aware that they had to band together in their dealing with a strong, centralized administration. Prior to this there had been close contact for three years between the executives of both associations and despite some hysteria (which was minimal given the circumstances) the members of the old Loyola Faculty Association and the old Sir George Williams Association of University Teachers ratified a new unified Concordia Association of University Teachers (CUFA), by an overwhelming majority. By late March the first executive was in place: Mike Brian (Sir George) as its president, Cathy Waters and Gwenn Newsham as Vice-Presidents of Loyola and Sir George campuses respectively, Geoff Adams (Loyola) Secretary, John Bart (SGW) Treasurer and Lila Van Toch (Loyola) and Bill Atwood (SGW) as nominated members to ensure some continuity. The strict balance of campus representation in the executive (after the President) was less reflected in the council which was based on proportional representation (15 Sir George, 10 Loyola). Yet in both bodies most decisions have been unanimous or close to it.

With certain misgivings about turn-out, the first council meeting was held. With many members having to travel several miles, turn-out and the constructive attitude of the council were encouraging and a wide mandate was given to the executive to concern itself with working conditions as well as the more traditional bread-and-butter issues.

The executive has worked well and hard. They have put in long hours — part spent in trying to find parking — and it seems that the new unified association has gained fresh enthusiasm from the blend of different traditions and expectations. Basic assumptions have had to be questioned and justified to those to whom they were new. This has perhaps been our main problem, for while the unified association saw new ways of doing things, the Administration has tended to assume that the Sir George Williams structures hold precedence. Most of the upper echelons of the Administra-

tion are old Sir George men (women are absent from this level unfortunately). Sir George campus has a larger population and it already held an independent place in the Quebec university system while Loyola was entering into it for the first time as a full member.

The first crisis centred on salary negotiations. The Administration assumed that the old Sir George methods of judging and awarding merit would be applied to all Concordia. The Association executive was unanimous that the Loyola rights — especially of elected committees and appeal — should remain in place. A final solution which at least left Loyola with its acquired rights was negotiated, under great pressure, to settle the salary agreement as soon as possible. At a midnight meeting of the joint executive, council and deans eventually reached a compromise.

The Association and the Administration reached a formula by which "rattrapage" — catching-up — could be applied to the former Loyola Faculty so that in future they would earn the same as Sir George counterparts with equal experience and qualifications.

Another pressing concern of CUFA has been the clarification of its role in CAUT and FAPUQ (Federation of Associations of University Professors of Quebec). Loyola Association had belonged to neither — new fees would come as a shock to them. We took the initiative of bringing together the anglophone faculty association executives of Bishops and McGill in order to review our position vis-à-vis our francophone colleagues in FAPUQ, all of whom are unionized. We had a frank exchange of view with Roland Proulx and Pierre Leahey (President and former Executive Secretary of FAPUQ respectively) and while expressing our understanding of the heavy emphasis that had been placed on the drive for syndicalization over the last two years we stressed the need for services to the non-unionized associations. As a result, general investigation of pension coverage schemes for all universities in Quebec is underway. We also actively supported the need for clarification of the roles of CAUT and FAPUQ. At least in part as a result of this suggestion, there have been several informal meetings between David Braybrooke, President, CAUT and the President and Secretary of FAPUQ. CUFA has been represented at such meetings and we are watching the negotiations closely.

Whether or not CUFA eventually follows the syndicalist option taken by francophone academics

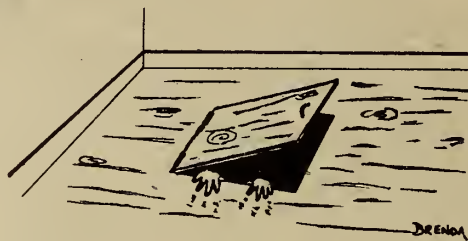
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and improvements in the existing welfare plans.

Moreover, there is enrichment of pensions for retired faculty members to bring them up to the level of those who retired as of June 30, 1975. The guaranteed housing loan plan limit is raised from \$10,000 to \$20,000 and all members of the bargaining unit are now eligible.

vides the right of any member of the bargaining unit to see his/her file at any time during business hours and provides detailed regulations concerning letters of reference and assessments.

In the event of alleged distortion, the employee has the right to provide additional material for inclusion in the file. No anony-



"All Employees Will Be Brought To Floor Of Rank". . . . (COURTESY CUASA)

Grievance and Arbitration

The grievance and arbitration procedures of the contract are available to redress grievances in regard to any articles of the contract except where an existing grievance and arbitration procedure has been incorporated as in the case of dismissal for cause. Decisions on non-renewal of probationary contracts and tenure are no longer advisory; the decision of the university wide tenure appeal committee is final and binding except that if the individual alleges a breach of academic freedom, discrimination or failure to apply the procedure, he may go to grievance and arbitration as provided for in the contract.

The contract establishes a grievance committee chosen from a list of 20 names generated by the Senate, from which the Association and the University each choose two. This committee will serve for the life of the contract.

In the event the grievance committee does not resolve the grievance, the Association may serve notice of intent to proceed to arbitration. In any case involving academic freedom, a decision of the Association not to proceed to arbitration would not prevent the individual grievor from seeking the advice of CAUT, and on the basis of such advice, proceeding to arbitration under the agreement.

The agreement also contains clauses on confidentiality and access to personnel files. It pro-

vides the right of any member of the bargaining unit to see his/her file at any time during business hours and provides detailed regulations concerning letters of reference and assessments.

No Discrimination

The contract defines academic freedom; alleged violations are subject to grievance and arbitration proceedings. It also specifies that there shall be no discrimination on the grounds of race, creed, colour, national origin, political or religious affiliation or belief, sex, sexual orientation, or marital status. This is the first university contract specifically to extend legal protection to homosexuals. The recent decision of the University of Saskatchewan to terminate the contract of a homosexual and the failure of human rights legislation generally to extend such protections makes this particularly significant. The agreement also prohibits discrimination on the basis of family relationship — a position that is not acceptable by all Canadian universities. Specific provision is made in the contract for the employer to rectify salary anomalies of women faculty and such changes will not be affected by any possible application of the federal wage control policy. Rights and responsibilities of all academic

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in Quebec, and being taken by Bishops, we are bound to profit from their experience. A specially appointed Certification Committee is due to report to us this fall.

The Association has faced up to and overcome the tension of a divisive salary-dispute — it has shown its will to remain unified and firm. Our next main thrust will be towards an improved and unified tenure agreement. But our policies in themselves reflect the unity of CUFA — salary, working conditions, course-load and merit structures and criteria are inseparable. Moreover, despite

the temptations inherent in a "buyers market", the University can only remain reputable if it honours its previous commitments. Only when the Association and the Administration have a clear understanding on these issues and a University acceptable to all has been achieved will we be able to feel that the Association is living up to its responsibilities.

Mike Brian teaches English at the Sir George Williams campus and Geoffrey Adams teaches History at the Loyola campus.

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staff, are spelled out in the agreement.

The agreement incorporates the University policy on patents and provides that the University waives all and any rights in the copyrights of faculty in regard to the print media and provides for strict interim protections for copyrights in film and videotape while detailed regulations are worked out. It provides for the Rand formula to be used in the check-off of dues.

Also contained in the contract is a merger clause, which provides protection of faculty rights in the event of a merger or the creation of a "University of Ontario".

Provision is made for a variety of leaves. This includes political leave, maternity leave (as per past practice prior to July 1975 which means that the academic staff member is fully maintained on salary), and compassionate leave. Sabbatical leave at Carleton was already a legal entitlement after 6 years unlike the situation in most universities where it is usually by application. The contract, continues legal entitlement and provides for payment at the level of 60 per cent (higher for those with more years of entitlement) but more significantly permits application for a sabbatical after 5 years at the discretion of the university and creates a committee to study the possibility of a five-year entitlement.

Danger of Minimizing Women's Issues

by Jill Greenwell

Fears of a general tendency to minimize the importance of women's issues in university affairs was a focal theme of a recent meeting of eastern members of the Committee on the Status of Women Academics. At their third annual meeting held in Charlottetown on November 8, members urged the CAUT to guard against the discrimination that historically exists in unions and to ensure that women's issues are not compromised in the collective bargaining process. Judging from the experience of unionized locals, the members agreed it is imperative that women participate actively and articulate their priorities in the drafting and finalization of any agreement.

Members also reaffirmed support for the use of unisex mortality tables in the calculation of pensions—an issue specifically excluded under the proposed federal human rights legislation despite the advice of women's councils and groups across the country—and decided to seek the backing of faculty associations to lobby not only government agencies but other provincial organizations concerned with women for legislated compulsory use of such tables. These topics will form part of the submission by the Nova Scotia Faculty Women to

the province's Task Force on the Status of Women.

Reports from delegates indicated that most universities have either established or are about to establish broadly representative committees to study the status of women on their campuses, although there remain a few who persist in either disclaiming any possibility of discrimination, or who absolutely refuse to divulge the salary data which is an essential element in any meaningful survey. Members re-emphasized the importance of having matched pair studies conducted, with a security system to ensure against identification of individuals. They pointed out, however, that, in view of recent Statistics Canada data showing a widening gap between the salaries of males and females, it was essential to review salaries annually, notwithstanding any adjustments that may have been made as a consequence of such studies. The dangers of neglecting to monitor salaries are illustrated in a follow-up report at Memorial where salary discrepancies, corrected in 1974, have again fallen below those of men. Female physical education teachers, for example, are being paid as much as \$1,400 less than their male colleagues.

Concern was voiced at the differing career patterns of men and

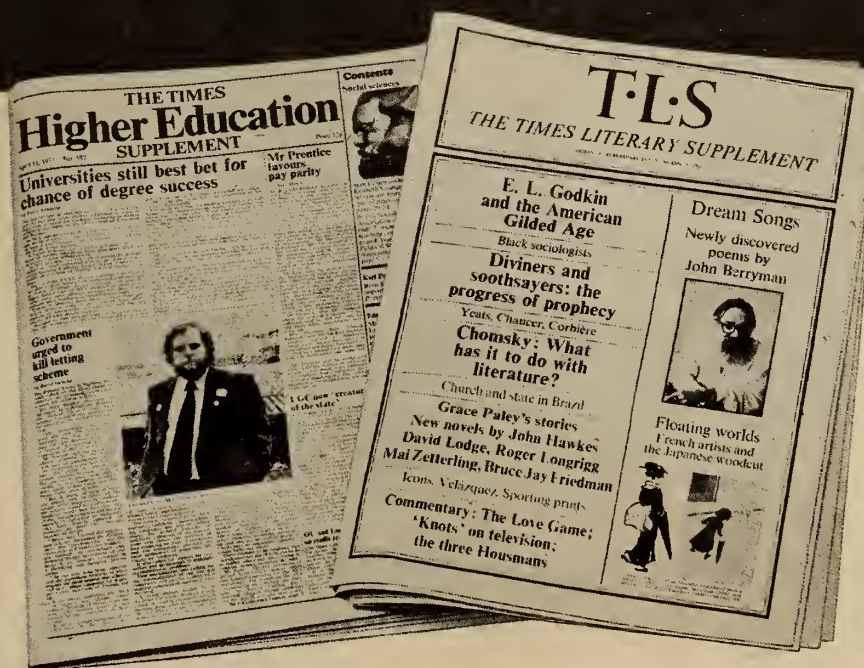
women and especially at a latent tendency on the part of evaluators to attribute gaps in academic women's careers to a lack of dedication and professionalism. Such intervals in a woman's academic record may frequently be necessitated by child-rearing obligations or other valid considerations, and faculty associations should be alerted to the possibility of discrimination in the hiring, promotion, tenure, etc., of those with differing career patterns.

The potential power of lobbying groups and the example of the women's caucus at the University of Alberta were cited by Margret Andersen, Chairman of the Committee, as a method of accentuating women's concerns. Alberta's group consists of faculty women who banded together informally initially to discuss their problems and grew to a more formalized and highly successful association, well able to articulate the concerns of its constituency.

Finally, members voiced their irritation at receiving material, including CAUT documents, written in terms which suggest that there are nothing but working men in this world. The CAUT was urged to adopt a non-sexist language policy in documents and publications and to encourage its member associations to follow suit.

Ms. Greenwell is co-ordinator for the Committee on the Status of Women Academics.

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I am a member of the Canadian Association of University Teachers through my membership in the _____

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Mail forms to: The Canadian Association of University Teachers, 66 Lisgar Street, Ottawa, Ontario K2P 0C1.
(Orders placed directly with the THES and TLS will be referred back to the CAUT.)

Attack on Inflation

On October 13, 1975, the Federal Government announced its intention to implement a program of national action designed to reduce the present rate of inflation. Bill C-73 has since been passed and the regulations will have been announced by the time this issue is received. The program is composed of four basic elements, namely fiscal and monetary policies, government expenditure policies, prices and incomes policies and structural policies. Because of the importance of these policies to the members of CAUT and all Canadians, it is appropriate to review the restrictions and their impact of the academic community.

How will income policies affect you?

As education falls under provincial jurisdiction, the Federal Government's legislation and guidelines pertaining to salaries and economic benefits do not apply directly to university professors. However, the legislation makes it possible for the provinces to adopt the guidelines and enforcement mechanism by enacting legislation which authorizes the Federal government to perform such a function for them.

Alternatively, provinces which support the proposed guidelines may establish their own administrative body to communicate and enforce the incomes policies. The provinces are also free to modify or amend the Federal guidelines to bring them into line with their own views on how such policies should be applied. They could also simply control university grants without any direct legislation.

In short, the effects of wage and price guidelines on the academic community will be determined by the provincial governments, who will have to decide whether and how they will support the Federal Government's restraint program.

Detailed Considerations

CAUT has prepared the following comments in the event that your provincial government either decides to place university professors under the jurisdiction of the federal government for the purposes of wage controls or adopts identical legislation of its own. These comments would **not** apply if your province adopted legislation different from that of the federal government.

A. Salaries

The wage guidelines prescribe the upper limits of compensation increases and have been divided into four basic elements — a protection factor to compensate for price increases, a share in any in-

creases in national productivity, an adjustment for past wage and salary experience, and minimum and maximum dollar increases.

In percentage terms, the protection factor has been set at 8% for the first year (October 14, 1975 to October 13, 1976) declining to 6% in the second year and 4% in the third year. However, these figures will be subject to adjustment as the rate of inflation changes. A further 2% increase has also been contemplated representing a share of the increase in national productivity. Therefore, the maximum increase (before any special adjustments) pursuant to the guidelines is 10% for the first year.

Recognizing that there may be some groups in the economy which have received rather substantial increases while other groups have not kept pace with inflation, the guidelines contemplate a further 2% increase in compensation for certain groups or a reduction of 2% in the maximum increases permitted for others. Thus, the compensation increases in the first year may range from 8% to 12%.

In many universities, the salary increases have not kept pace with the rate of inflation and consequently, it would be reasonable to accept that increases should approach the 12% figure.

The guidelines on incomes also establish that the maximum pay increase is \$2,400. The Government has established a figure of \$3.50 per hour (higher than originally announced) to which anyone earning less can have his salary raised without violating the percentage increases stipulated by the guidelines. It is important to note that the limitation on pay increases applies to "groups" of employees rather than to individual employees. A "group" may consist of a recognized bargaining unit or simply an aggregation of employees for whom there is a unilateral determination and administration of compensation.

This principle may have significant consequences for the academic community, where a "group" may consist of all faculty members. It is the average pay increase of the entire group which must not exceed the \$2,400 figure. It would appear that the guidelines have considerable flexibility, making it possible for some individuals to receive more than a \$2,400 increase, provided the guideline criteria are satisfied. Decreases of salary as a consequence of academic staff going on sabbaticals would be of some importance in this calculation.

B. Fringe Benefits

In general, the guidelines apply to all forms of compensation including fringe benefits. However, there appears to be an exception for employer contributions which

will improve employee health or safety at work. On this basis, the guidelines may not apply to such benefits as dental plans or extended medical coverage. Employer contributions to statutory health plans would not be exempted.

C. Promotions

The guidelines do not apply to promotions within existing promotion policies or systems. Restrictions have been imposed to ensure new job classifications or promotion policies are not changed in order systematically to evade the guidelines.

D. Sex Discrimination

Any increases which are designed to eliminate sex discrimination in pay practices would not be subject to the restrictions which apply to other changes in compensation.

E. Merit Pay and Career Progress

At the present time, it is legal counsel's opinion that normal merit pay increases and career progress increases under existing systems particularly those which are discretionary in whole or in part will not be subject to the guidelines.

F. Pension Plans

The guidelines will also exclude payments to offset experience deficiencies in pension funds. This could exempt as compensation, employer payments designed to adjust the purchasing power of pensions of retired employees as warranted by the effects of inflation.

G. Special Cases

i) Another important exclusion from the guidelines which may have particularly significant implications for the academic community consists of pay increases which are demonstrated as necessary to attract or hold employees. Accordingly, exceptions to the guidelines could occur if the universities are able to demonstrate that such increases are necessary to attract well qualified academics or to retain professors who might otherwise return to the private sector.

ii) An exemption may be granted where it is necessary to maintain long established historical relationships in salaries of closely related groups and other special cases of equity. This may be of particular importance to university professors, as many have fallen behind the increases obtained by other sectors in the field of education, notably the school teachers.

This has been only a brief glimpse of the proposed Federal guidelines on incomes and how they may affect university professors. It should be remembered that the regulations, which have not been made public at time of writing, could nullify some of the comments which have been made. If you would like further details on the contents of the legislation or the accompanying White Paper, copies of both documents with a CAUT commentary vetted by legal counsel have been sent to your local faculty association. Future issues of the Bulletin will carry further details of the effects of the legislation and the regulations with regard to universities.

CAUT Committee on Collective Bargaining Committee on the Status of Women Academics

The CAUT solicits suggestions for nominations to its Committees on Collective Bargaining and on the Status of Women Academics, for three-year positions commencing July 1, 1976. Nominations should be sent by February 1, 1976 to Donald C. Savage, Executive Secretary CAUT, 66 Lisgar, Ottawa, Ontario K2P 0C1.

ACPU Comité de la négociation collective Comité du statut de la femme professeur

L'ACPU sollicite des propositions de candidats qui pourraient faire partie du Comité de la négociation collective ou du Comité du statut de la femme professeur. Le mandat est de trois ans, et commence le 1er juillet 1976. Les propositions doivent parvenir au secrétaire général, 66 rue Lisgar, Ottawa, Ontario K2P 0C1 au plus tard le 1er février 1976.

Offensive contre l'inflation

Le 13 octobre 1975, le gouvernement fédéral annonçait son intention de mettre en vigueur un programme national de lutte destinée à réduire le taux actuel de l'inflation. Le Bill C-73 a, depuis lors, été voté et les règlements eurent été publiés au moment où vous aurez reçu cette livraison. Le programme de gouvernement comporte quatre éléments de base, à savoir les politiques fiscales et monétaires, la politique de dépenses du gouvernement, la politique des prix et des revenus et les politiques structurelles. Étant donné l'importance de cette politique pour les membres de l'ACPU, comme pour tous les Canadiens, il semble approprié d'examiner les répercussions de ces restrictions sur la communauté universitaire.

De quelle façon serez-vous touché par les politiques du revenu?

L'éducation tombe sous la juridiction des gouvernements provinciaux et, par conséquent, les mesures législatives et les directives du gouvernement fédéral au sujet des salaires et des avantages sociaux ne s'appliquent pas directement aux professeurs d'université. Cependant, ces mesures permettent aux provinces d'adopter des directives et des mécanismes de mise en application en adoptant à leur tour des mesures autorisant le gouvernement fédéral à agir en leur lieu et place en la matière.

Par contre, les provinces en faveur des directives proposées par le gouvernement fédéral peuvent créer leur propre organisme administratif pour communiquer et mettre en vigueur cette politique du revenu. Les provinces peuvent également modifier les directives fédérales afin de les rendre conformes à leur propre opinion sur la façon dont elles doivent être appliquées. Elles peuvent encore tout simplement contrôler les subventions aux universités sans adopter de mesure législative directe.

En bref, les répercussions des mesures de contrôle des prix et des salaires seront déterminées par les gouvernements provinciaux qui devront décider dans quelle mesure ils soutiennent ou non le programme de restrictions du gouvernement fédéral.

Quelques remarques de détail

L'ACPU a préparé les commentaires suivants dans le cas où votre gouvernement provincial déciderait de placer les professeurs d'université sous la tutelle du gouvernement fédéral en ce qui concerne le contrôle des salaires ou d'adopter personnellement des mesures législatives identiques. Ces commentaires ne s'appliquent pas si votre province décide d'adopter des mesures différentes de celles du gouvernement fédéral.

A. Salaires

Les lignes directrices en matière de salaires prévoient des augmentations maximales et ont été divisées en quatre éléments fondamentaux: le facteur de protection de base destiné à compenser l'augmentation des prix, une part dans l'augmentation de la productivité nationale, un redressement des pratiques salariales passées et des augmentations minimales et maximales exprimées en dollars.

Au point de vue pourcentage, le facteur de protection a été fixé à 8% pour la première année (du 14 octobre 1975 au 13 octobre 1976) pour tomber à 6% au cours de la deuxième année et à 4% au cours de la troisième année. Cependant, ces chiffres seront sujets à modification en fonction de l'évolution du taux d'inflation. On prévoit également 2% supplémentaires représentant la part de l'augmentation de la productivité nationale. Autrement dit, l'augmentation maximale prévue par les lignes directrices (avant tout rajustement spécial) est de 10% par année.

Les lignes directrices reconnaissent que certains groupes dans l'économie ont reçu des augmentations plutôt substantielles alors que d'autres n'ont pas suivi le rythme de l'inflation. Elles prévoient donc une compensation de 2% pour certains groupes ou une diminution de 2% des augmentations maximales prévues pour les autres. Ainsi, les augmentations prévues pour la première année peuvent varier de 8 à 12%.

Dans de nombreuses universités, les augmentations de salaire n'ont pas suivi le rythme de l'inflation et il paraît donc raisonnable de penser qu'elles pourront atteindre 12%.

Les lignes directrices en matière de revenu prévoient également une augmentation maximale de \$2,400. Le gouvernement a établi un taux horaire minimal de \$3.50 (plus élevé que ce qui avait été annoncé) auquel tous ceux qui gagnent moins peuvent être relevés sans contrevenir aux augmentations procen-tuelles définies par les lignes directrices. Il est important de remarquer que les limitations des augmentations de salaire visent des "groupes" d'employés plutôt que des individus. Un groupe peut être une unité de négociation collective reconnue ou tout simplement un regroupement d'employés pour lesquels les augmentations de salaire sont établies et administrées unilatéralement.

Ce principe peut avoir des conséquences importantes pour la communauté universitaire où le "groupe" peut être constitué par l'ensemble du corps professoral. C'est alors l'augmentation de salaire moyenne de l'ensemble du groupe qui ne doit pas dépasser \$2,400. Il semble donc

que les lignes directrices soient très souples et que certaines personnes puissent recevoir une augmentation supérieure à \$2,400 pourvu que le critère général soit respecté. Les diminutions de salaires des professeurs qui bénéficient de leur année de congé sabbatique peuvent avoir une certaine importance dans ce calcul.

B. Avantages sociaux

D'une façon générale, les lignes directrices s'appliquent à toutes les formes de rémunération, y compris les avantages sociaux. Il y a cependant une exception dans le cas des contributions des employeurs visant à améliorer les conditions d'hygiène ou de sécurité au travail. De cette façon, les lignes directrices pourraient ne pas s'appliquer à des avantages comme les régimes de soins dentaires, ou aux suppléments de protection médicale accrue. Les contributions de l'employeur à un régime statutaire de protection médicale, ne seraient pas exemptées.

C. Promotions

Les lignes directrices ne s'appliquent pas au cas des promotions accordées dans le cadre des régimes ou des politiques d'avancement actuellement en vigueur. Cependant, des restrictions ont été imposées afin de s'assurer que les politiques d'avancement ou les régimes de classification d'emploi ne soient pas modifiés en vue de se soustraire systématiquement aux lignes directrices.

D. Discrimination des sexes

Les augmentations destinées à éliminer la discrimination des sexes dans les régimes de rémunération ne seront pas soumises aux restrictions qui s'appliquent aux autres formes d'augmentation.

E. Augmentations de salaire au mérite et avancement dans la carrière

À l'heure actuelle, notre conseiller juridique estime que les augmentations normales de salaire accordées au mérite et à cause de l'avancement dans la carrière dans le cadre des régimes actuels, et en particulier les augmentations qui sont en partie ou en totalité accordées à la discrétion de l'employeur ne seront pas soumises aux lignes directrices.

F. Régimes de pension

Les lignes directrices excluent également les augmentations destinées à compenser les déficits d'exploitation des caisses de retraite. Pourraient donc être soustraites aux lignes directrices les contributions de l'employeur destinées à rajuster le pouvoir d'achat des pensions des employés à la retraite et qui seraient justifiées par l'évolution du taux d'inflation.

G. Cas particuliers

i) Une autre exception importante à l'application des lignes directrices pourrait avoir une importance particulière pour la communauté universitaire. Il s'agit des

augmentations de salaire pour lesquelles l'employeur pourra convaincre la Commission qu'elles sont nécessaires pour recruter ou retenir des employés. Par conséquent, il pourrait y avoir une exception à l'application des directives si les universités pouvaient convaincre la Commission que ces augmentations sont nécessaires pour recruter des universitaires qualifiés ou retenir des professeurs qui, dans le cas contraire, reviendraient au secteur privé.

ii) Une exception peut être accordée pour les augmentations nécessaires au maintien de rapports établis depuis longtemps entre les salaires de groupes étroitement liés et pour d'autres cas spéciaux d'injustice. Ceci pourrait être particulièrement important pour les professeurs d'université dont les augmentations de salaire peuvent avoir été inférieures à celles d'autres secteurs de l'éducation, en particulier les instituteurs.

Ces quelques remarques ne constituent qu'un aperçu général des lignes directrices du gouvernement fédéral en matière de revenu et de la façon dont elles pourraient affecter les professeurs d'université. Il convient de se souvenir que ces règlements, non disponibles au moment de la rédaction, pourraient annihiler quelques-uns des commentaires faits ici. Si vous désirez des détails supplémentaires sur le contenu de ces mesures ou le Livre blanc qui les accompagne, vous pouvez consulter ces deux documents, ainsi qu'un commentaire de notre conseiller juridique, que nous avons envoyés à votre Association locale. Dans des prochaines livraisons du Bulletin, de plus amples informations vous seront fournies au sujet des effets de la législation et des règlements quant aux universités.

ERRATUM

The Special Report on Women in Higher Education, which appeared in the September issue of the Bulletin, contained an article by Professor Christine Garside Allen entitled "Conceptual History as a Methodology for Women's Studies."

It should have been mentioned that the article had been previously published in the Spring 1975 issue of the McGill Journal of Education (Vol. X No. 1) which was devoted to the subject of Women and Education.

We apologize to Professor Allen and to Margaret Gillett, editor of the Journal of Education, for the omission.

A Study in Spontaneity:

The Academic Women's Association at the University of Alberta

by Jeannette Rothrock

During the course of several recent meetings of the CAUT Committee on the Status of Women Academics, emphasis was placed on the need for women faculty to organize on their individual campuses in order to bring pressure on the local faculty associations and university administrations to implement changes in women's status.

Particular concern was voiced over the need to ensure implementation of CAUT guidelines on maternity leave and the policy statement on equal opportunity for women faculty members.

It was felt that examples of how women faculty members had organized successfully would be interesting and useful to women seeking to do the same on their respective campuses.

The Bulletin is, therefore, publishing this account of how women faculty members at the University of Alberta formed an association which progressed from beneficial social interaction to become a force for improvement in the status of women faculty on that campus.

A little more than two years ago, a handful of women academics at The University of Alberta who knew each other but knew few beyond their small circle decided it was time for women faculty on their campus to become acquainted. So the first of many regular dinner meetings was arranged, with a small program in which items of specific interest to academic women were raised and one or two women introduced themselves and talked about their work.

The purpose was not entirely social, though. In part there was the idea of acquainting women academics with the capabilities of their

counterparts elsewhere in the University; the lack of women on university committees was (and still is) a well-known fact, and because committees comprise people who are well enough known by other people to be nominated and voted for, getting to know each other seemed to these women a likely place to start. In part too there was the sense that women academics are odd persons out — they don't entirely fit in with their male colleagues, and they fit in even less with women whose lives centre on the traditional roles of wives and mothers. There was a need for shared experience, a need for a group to identify with, a need for mutual support.

The meetings continued informally for two years. The group comprised about fifty or sixty women of all ages, disciplines, and points of view. The name "Academic Women's Association" just grew: the women rejected at their third meeting the whole idea of a name or any formal organization. There seemed to be an unarticulated fear of an identifiable organization which might be misconstrued by others (male others?) as anything from a radical action group (to be shunned) to a coffee klatch (to be laughed at), and that association with such a group could make one's professional life more difficult than it already was. Nevertheless, the group was unanimous in its decision that it continue to meet in the same way and discuss the same kinds of things.

So it continued, with no officers, no organization, no plans, except to meet every month. Groups such as the university's Institute of Law Research and Reform and the Academic Staff Association asked the "association" to make submissions on such matters as matrimonial property laws and daycare (submissions were

agreed upon by group consensus rather than any formal vote). A series of profiles of women in professions, intended as role models for schoolgirls, grew up under the auspices of the group, developed into part of a television series and is developing into a kit to be used for counselling purposes in high schools in Alberta. A one-day conference on "The Economics of Sex Roles" was organized for this spring (those familiar with the pages of forms to be filled for grant applications can appreciate the fun of applying for funds for a conference sponsored by a non-association, with no officers and a minus quantity in its bank account) thanks to money from the Secretary of State, a lot of running around by a handful of the group's members, and a lot of understanding on the part of the guest speakers, the conference actually happened and in fact was a success.

By the time the conference had taken place, however, the group had already decided to formalize itself. Possibly it had been evolving towards a formal organization (although it had been praised not long before by a guest speaker for arriving at decisions by consensus rather than "playing the men's *Roberts' Rules of Order* game"), or perhaps it was precipitated by the tabling of the report of the University Senate Task Force on the Status of Women.

The Task Force report, published in March this year, concluded that "Women academics at the University are discriminated against on the basis of sex both individually and as a group." It detailed statistics, perceptions, and case histories of discrimination and went on to make several recommendations intended to abolish the discrimination it had found.

On March 31, after discussing the Task Force report and its recommendations, the group decided, literally and spontaneously as a group, that it was time to organize, if organization was what was needed to see that the report and its recommendations were not to be conveniently buried in the well-known tangle of university committees. So those present each threw a quarter into a hat, elected a President (Jean Lauber, Associate Professor of Zoology, one of the group's founders), went about the business of formal organization, and signed a petition to the university's board of Governors expressing concern about the issues identified in the Task Force report.

Throughout the summer, when campus politics normally sink into a pleasant somnolence, the Academic Women's Association dug into its task as self-appointed watchdog of the Task Force report, proceeding recommendation by recommendation to jog the powers that be into action.

On a motion from an AWA member, the Association of the Academic Staff at the University of Alberta (AASUA) agreed to have its council determine which among the Senate's recommendations it could act on and struck a special committee to tackle the task. The AASUA, with the active participation of AWA members, has also been working for improvements in the situation of academic women: for maternity benefits and provision of more day care facilities by the university, for unisex actuarial tables and for devising the means of undertaking matched peer studies. The AASUA has now taken on the responsibility for negotiating salary and fringe benefits for ses-

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The University of Manitoba

**Invites Nominations and Applications
for the Position of**

PRESIDENT

with effect from July 1, 1976

The University of Manitoba is a publicly supported institution established in 1877. The full-time enrolment in 22 faculties and schools during the 1974-75 Winter Session was approximately 14,000. In addition to the main campus of the University, the faculties of medicine and dentistry are located at the Health Sciences Campus.

The criteria to be used in reviewing applications and nominations are: satisfactory academic background; ability to effectively and openly communicate with the various publics of the University; a record of administrative competence; strong leadership qualities.

Written applications or nominations will be received in confidence until December 15, 1975, and should be accompanied by a resume of qualifications and addressed to:

Chairman
Advisory Committee for the Selection of a President
The University of Manitoba
Winnipeg, Manitoba, Canada
R3T 2N2

The Waiting Game Won't Produce Results

by Carolyn Masleck

The main sentiment emerging from the Association of Universities and Colleges of Canada annual conference is that women cannot wait for men to grant them improved status and conditions, but must themselves push for any changes which they wish to see implemented. The AUCC devoted the workshops and plenary sessions of its October 27 - 30 meeting to discussions of women's status in the university.

Professor Paule Leduc of the Université de Québec à Montréal, insisted that women "must not wait for the doors to open, they are open and (we) must walk through them." Women must not seek concessions from men, she continued, but must be responsible for their own success.

Her position, that the doors are open to women if they will only take advantage of the fact, was refuted by several speakers, who objected to what they termed the "If I can do it, anyone can" philosophy.

Professor Johanna Stuckley of York University said, in fact, the doors are not open, and that furthermore, few women have the background or training to ask for what they want. "Those who are able," she said, "must help those who are not."

Pauline Jewett, President of Simon Fraser University, reinforced

this position. Commenting on "the dearth of women in administrative posts in universities," Professor Jewett said, "We haven't really accepted the idea that women can and should be in positions of authority."

"We will wait a very long time," she continued, "if we do not, as administrators, actively seek out women with potential talent, giving them the opportunity, or catapulting them into management positions."

There must be positive action, Professor Jewett said. "Equality of opportunity sounds good, but it is meaningless if people start at different gates because of early training. Women in positions of authority," she went on, "must establish, if not quotas, at least targets."

She also commented on what she termed "the new double standard", the feeling that it is "okay to have a woman in a position of authority and responsibility as long as she's not bitchy or ugly, as long as she's attractive and feminine and nice to have around."

Professor Evelyn Moore, of the University of Calgary, commented that studies of women's status at various universities differ in detail, "but the picture is the same". Laws and regulations allow for technical equality, she said, without providing for true equality.

... cont'd on p. 28

Collective Bargaining Main Issue at OCUFA Council

The OCUFA Council focused its October meeting on several aspects of the status of collective bargaining in Ontario universities. Council noted, with regret, the failure of the two-Tier proposal to find acceptance as a mechanism for province-wide bargaining, and adopted a motion affirming OCUFA's continued interest in discussion, at the provincial level, of revisions to university funding that will secure equitable salaries, employment stability and institutional diversity.

Members also adopted a motion by which "OCUFA recognizes that collective bargaining under the Ontario Labour Relations Act contributes an effective method by which faculty associations in Ontario can defend academic freedom and move towards equitable salaries and university stability."

In addition, Council urged member institutions to enter into full negotiations at the local level aimed at achieving long-range stability of faculty numbers on each campus.

Another major topic of discussion was OCUFA's cost-sharing policy with regard to certification costs. It was agreed to establish a formula governing the distribution of mutually agreed legal costs among local, provincial and national organizations, according to which OCUFA and CAUT jointly contribute one-third of the total of these costs up to \$8.00 per capita of bargaining unit size, and

assume all mutually agreed costs beyond that level. Council also agreed that OCUFA and CAUT will endeavour to extend loans to local associations which are unable to meet their obligations under the above formula.

Council members participated in a collective bargaining workshop, hearing from organizers at several Ontario universities which have been certified or are seeking certification, including some where contract negotiations are ongoing.

Professor Jill Vickers, chief negotiator for the Carleton University Academic Staff Association (CUASA), spoke of the difficulty of convincing faculty association members that there is more to collective bargaining than a simple "take the money and run" attitude.

"Other areas are crucial," she said, "and it must be made clear to the membership that they should not sell out academic issues and clauses for money clauses."

In other business, Council accepted the recommendation of the Executive to admit the Civil Service Association of Ontario (which represents Ontario's community college teachers) into the Association of Artists and Educators, which negotiates with the Ontario Educational Communications Authority (OECA). Admission of the CSAO to the consortium has already been approved by ACTRA and OTF, the other members of the consortium.

Communication de l'Association canadienne des professeurs d'université

Bourse 1976-77 du Fonds de bourses J. H. Stewart Reid

Le Fonds de bourses à la mémoire de J. H. Stewart Reid est constitué de dons volontaires consentis par des personnes et des organismes en témoignage de gratitude à l'égard du premier secrétaire général de l'Association.

Valeur: Une bourse d'étude de \$3,000

Endroit: une université canadienne qui offre les études au niveau du 2e cycle ou du 3e cycle

Domaine d'études: tous les domaines

Durée: un an; le candidat peut toutefois poser sa candidature au concours de l'année suivante

Qualifications: (a) citoyenneté canadienne ou résidence au Canada à titre d'immigrant reçu en date du 1er février 1975 ou plus tôt; (b) inscription à un programme d'études supérieures dans une université canadienne ou admissibilité aux études supérieures en 1976-1977

Date limite: 1er février 1976

Annonce des résultats: 15 avril 1976

Pour de plus amples renseignements ou pour obtenir les formulaires de candidature, veuillez écrire à la

Préposée, service des bourses
Association canadienne des professeurs d'université
66, rue Lisgar
Ottawa, Ontario
K2P 0C1

The Canadian Association of University Teachers announces

The J. H. Stewart Reid Memorial Fellowship for 1976-77

The J. H. Stewart Reid Memorial Fellowships have been established through voluntary contributions to honour the memory of the first Executive Secretary of the Association.

Value of award: One fellowship in the amount of \$3,000.

Where tenable: In the graduate program at any Canadian university.

Field of study: Unrestricted.

Duration: The award is for one year. A successful candidate may reapply in the competition in the following year.

Qualifications: (a) Canadian citizenship or residence in Canada with landed immigrant status from 1 February 1975 or earlier.

(b) Graduate student standing, or admission to a Canadian graduate program by time of award.

Closing date for applications: 1 February 1976

Announcement of award: 15 April 1976

For further information and application forms, write to:

Awards Officer
Canadian Association of University Teachers
66 Lisgar Street
Ottawa, Ontario
K2P 0C1

The Draft Adult Education Act

an analysis of the proposed Alberta legislation

by J.B. Hyne

This draft form of an Act proposed as a replacement for, among other pieces of present legislation, The Universities Act represents the culmination of a concerted effort on the part of the Ministry of Advanced Education to centralise university administration and control in the Province of Alberta. The document is replete with a myriad of examples of vesting final authority and power in the hands of the Minister and his deputies. The ministerial powers are sweeping; the Board's powers are diminished; and the internal administrative structure of the university is denied any kind of statutory recognition.

The central theme of the proposed Act is, of course, the combination under one single piece of legislation of all of the elements of the post-secondary educational system in the Province of Alberta. The universities have argued totally unsuccessfully for some two or three years that the essential differences between the universities, the colleges and the technical institutes should be recognised in separate legislation. The Government has refused to accept this point of view and we now have the draft Adult Education Act to prove that they will not be persuaded. The key evidence of the Government's real intention is, of course, contained in the fact that they have combined the Ministry of Advanced Education with Manpower. This, coupled with the draft Adult Education Act, leaves one in little doubt that the Government views the universities' principal role as "training manpower" and not providing an education for life and living.

The draft Act has been carefully structured. It offers attractive titbits to both the academic staff union and the student body in an attempt to de-emphasise the centralising of controls contained in the rest of the document. The staff associations are given the option to move to a complete union form of bargaining and the student body is tempted by an offer of much expanded representation on General Faculties Council. One would hope that the students would not be so naive as to miss the inherent hollowness of this gesture, since General Faculties Council, under the proposed Act, is left with minimal powers, if any.

The document is not easy reading. It is unlikely that more than a small proportion of the

academic community will be familiar enough with the present legislation to appreciate from a casual reading the enormous new power that the proposed Act vests in the Minister and his deputies. Despite the very considerable recent effort of the local press to make the enormity of the power grab apparent to the people, it is almost a foregone conclusion that society will not really appreciate the subtleties of the legislation until it is enacted.

As the explanatory notes at the beginning of the draft declare, definitions are left deliberately broad in order to illustrate the Minister's authority over a dynamic area. By arguing that the combination of the very diverse post-secondary educational activities of the universities, the colleges, the technical institutes and trade schools under one piece of legislation dictates vagueness, the Government hopes to sell the idea that lack of definitiveness is an acceptable development. It is an interesting political ploy to permit the exercise of virtually unlimited power.

As a general illustration of the enormity of the ultimate power that the draft Act vests in the Ministry, one cannot be but painfully amused by one of the explanatory notes (which will not become part of the legislation) which attempts to set the reader's mind at rest by disclaiming that the ministerial powers will ever be exercised to the extent permitted in the Act. The classic example is in Section 45, where the Minister is empowered to approve and amend the universities' budget and the explanatory note states that "there is no expectation that the components of the budget will be examined and approved individually"!

Finally, we have the ministerial powers in academic matters. The Minister is empowered to evaluate and re-allocate new programmes of study (Section 6a); to approve (and therefore to disapprove) the extension, expansion or establishment of *any* programme of study (Section 6b), and to regulate enrollment at provincially administered institutions (Section 12(3)). In short, he is empowered to determine where a student shall go, what he shall study and how he shall be taught. These are frightening powers to place in any Government's hands, even if the Government of the day protests that such powers will never be exercised. We have crys-

tal clear evidence that, since the amendment of the previous Universities Act to permit the Commission, and subsequently the Minister, to approve or disapprove the extension, expansion or establishment of any service, facility or programme of study, there has been an ever-increasing move by these regulatory bodies to impose their will through the Programme Approval Procedures on the very heart of the academic activities of the universities. There is no reason whatever for believing that this trend to direct interference with the academic activities of the universities will not continue. Indeed, the draft Adult Education Act could only have been worded as it is with the clear intent of consolidating the Government's controlling position in all aspects of university endeavour.

Some little time ago there was much public concern in Canada over the propriety of the Federal Government's interfering with the activities in the bedrooms of the nation. The degree to which the draft Adult Education Act would permit the Provincial Government to interfere in the activities in the classrooms of the Province should stimulate an equally great concern. It would be difficult, if not impossible, in this day and age to argue against a very considerable degree of financial control of university activities by the Provincial Government. The costs are considerable and they are in very large part carried by the people through their Government. Having acquired this financial control, the Government can surely use it to effect the directions followed by the educational institutions. To give it the added power to determine what a university shall and shall not teach in addition to the right to refuse to fund, places the very concept of truth and freedom of academic expression in jeopardy. Surely the control of the purse strings to the extent of determining the total amount of funding is all that the Government needs. Government dictatorial powers beyond these fiscal reins represent an unhealthy expansion of political interference with the university system in this Province. We can only hope that the unhealthy intent of the draft Adult Education Act can be brought to the attention of the only group likely to persuade the Government to throw it out - the people of the Province of Alberta.

Specific Illustrations From Draft Act

1. Power through vagueness of definition

As is usual, the Act begins with a listing of definitions of terms used within the Act. "Advanced Education" is defined to include the comprehensive relationship among students and other individuals, programmes of study, courses, research activity and other services available within, or delivered by a member of, the system. The explanatory note accompanying this section states "the definition of advanced education is deliberately broad in order to illustrate the Minister's authority over a dynamic area". Thus, by attempting to encompass such a wide variety of topics of education within a single Act (that is, the universities, colleges, institutions of technology, trade schools), it becomes impossible to find language that, at one and the same time, is precise and appropriate. The result is vagueness - the consequen-

ce is unlimited ministerial power.

It is, however, of further interest to note that, when the legislative draftsmen came to the nuts and bolts of running the system, it was found necessary to write Parts II, III and IV of the Act, each dealing separately with the various parts of the system. In other words, the proposed Act lumps together all aspects of the system in order to generate very wide ministerial powers over a dynamic area but, once this is accomplished, it is forced to recognise the inherent differences between the parts of the system.

Finally, the explanatory note facing Page 29 states "in accordance with the principle that colleges and universities should be dealt with in a similar manner in the legislation, and in response to repeated submissions regarding this matter, ...". The explanatory note says nothing about repeated submissions from the universities that they should continue to be under a

separate Universities Act.

2. Ministerial power in the heart of academia

Again within the definitions section, a course is defined as a unit of instruction in respect of which *the level of achievement* is formally recorded in a manner prescribed by a Board; or, in the absence of a Board, *by the Minister*. In other words, the Act gives the Minister powers to determine the manner in which the level of achievement of a student may be recorded. This, in simple terms, means that the Minister, in the absence of Board action, can dictate the grading system in purely academic matters. In fairness, it should be noted that the Act does not empower the Minister to award degrees! This appears to be one of the few powers reserved exclusively for "the Board on the advice of an academic council".

3. Powers to the Minister - assistance from the Board!

On Page 8 of the draft Act the "powers of the Minister" are enumerated in detail. He is empowered to evaluate, review and re-allocate new programmes of study, presumably meaning that he can terminate one programme of study at one institution within the system and assign it to another. He approves fees for instruction and so can presumably determine in definitive terms the precise fee structure at any unit within the system. He can determine growth plans for each member of the system of advanced education, thus, presumably, having the power to order a particular institution to restrict its growth in any particular area or, alternatively, to require that it commence offering particular areas of study not presently in the curriculum.

All of these powers are consolidated in the revised version of the original 68g section of the 1966 Universities Act regarding the Minister's powers to regulate the extension, expansion or establishment of any service, facility or programme of study so as to reduce or avoid undesirable and unnecessary duplication. It is this section of the previous Act which led directly to the establishment of the Programme Approvals Procedure which the Ministry of Advanced Education has been using with greater and greater authority ever since the demise of the Universities Commission. It is through the use of the Programme Approvals Procedure that the Ministry has in the last two to three years become directly and intimately involved with the very heart of academic matters within the universities. It must be made abundantly clear that the power to regulate expansion, extension, or establishment of any service, facility or programme of study *does not* refer to the establishment of new Faculties or Schools. This is covered under an entirely different subsection of the proposed new Act. It is therefore made abundantly clear that the Ministry's intention is to become directly involved not with the general problem of establishing major new programmes such as Faculties and Schools but with the internal workings of the academic offerings of the institutions.

We now turn for comparison to Page 16 of the draft Act, where the "duties of the Board" are dealt with. It should be noted in the first instance that the phraseology used in regard to the Minister's responsibilities was "the powers of the Minister". The duties of the Board begin by stating in the first two subsections that Board shall "assist the Minister". It therefore becomes very clear that, while the Board may be left with certain responsibilities, its position of authority compared with that of the Minister is markedly diminished. Despite this diminished authority, however, it is required Page 17) to "assume the entire responsibility for expenditures made by it". This responsibility, moreover, must be carried notwithstanding the fact that the Minister is empowered to require that the Board submit its budget for approval and *possible amendment*. The Act therefore gives the Minister the power to determine the manner in which the Board shall expend the funds but requires the Board to assume the entire responsibility for the expenditures! The Government will, of course, argue that there is no expectation that the components of university budgets will be examined and approved individually. This statement is actually made in an explanatory note in connection with Section 45 of the proposed Act. As has been pointed out by others, however, it is always of interest to know why a Government gives itself powers within an Act if it has no intention of using them. Presumably, those governed by the Act would feel much more comfortable if the explanatory note became part of the Act, clearly delineating the extent to which this *and future*

Governments are empowered to control the financial affairs of the institutions.

4. Government dissolution of the Board of Governors

Unlike the old Universities Act, the Government is now empowered to take over complete control of the universities. On Page 10, Section 9(2), the Lieutenant-Governor in Council by order may declare that, on a day named in the order, the Board is dissolved and thereupon the Board ceases to exist. As indicated in the accompanying notes, this power was included in the Colleges Act and is now made applicable to the universities and their student associations. While it is true that such action would have to result from a Cabinet decision and not a ministerial one, it places in the hands of the Government complete and total power over the university system. In other parts of the Act, the Government falls heir to many of the powers of the Board if the Board does not exist. Since the Government has the power to dissolve the Board, this sequence of events clearly gives to the Government entire and total control over the universities if they should so wish to exercise such powers. It should also be of interest to the student associations that they may be dissolved by action of the Government!

5. Control of enrollment - the Board or the Minister?

On Page 11, Section 12 of the proposed Act states that "at colleges and universities the enrollment of students in any year may be determined by the Board on the basis of available physical and financial resources". The explanatory note attached thereto states that this subsection "gives the Board clear responsibility for resolving matters regarding restricted enrollment". The immediately following subsection at the top of Page 12 states "the Minister may regulate enrollment at provincially administered institutions on the basis of available physical and financial resources". The question immediately arises as to what constitutes a "provincially administered institution". The term is defined under the definitions section of the draft Act and is stated to mean "an advanced education institution owned by the Government and operated as a part of a department of the Government of Alberta". Despite arguments to the contrary, this still leaves some doubt as to whether the Government could not, under certain circumstances, claim that the universities were owned by the Government and operated as a part of the system of advanced education under the Department of Advanced Education. One must ask the question as to why the Government could not be as *specific* about the institutions at which the Minister may control enrollment as opposed to those at which he cannot control enrollment.

6. Board control over inventions

The proposed new Act empowers the Board to require that there be assigned to it an interest in any invention made by an officer or employee of the Board while acting within the scope of his duties or employment *or that resulted from or is connected with his duties of employment*. This wording effectively gives the Board the power to require that it be given an interest in an invention made by a staff member *after* that staff member has terminated his association with the university *provided only* that the Board can show that the invention "resulted from" that staff member's previous employment with the Board. In effect, therefore, if it can be shown that the scholarly activities in which the staff member engaged as required by his agreement with the Board subsequently led to an invention after he terminated his employ-

ment with the Board, there is still a residual right of the Board to require an interest in that invention. In summary, a staff member would never be free from the possibility of the Board's requiring an involvement in any invention produced subsequent to his employment. Once again, we have an example of truncated, legislative-style wording being subject to interpretation favourable to the senior authority and unfavourable to the junior partner.

7. Contracting for services, equipment or facilities

On Page 24, Section 37(b), the Board is empowered to generate its own revenue by contracting out services, equipment, facilities, etc. Despite the protestations elsewhere in the document that it is desirable to avoid specificity, we here have an illustration of a degree of specificity that may well lead the university into a serious tax position. Universities are presently in the favourable position of not having to pay sales and excise tax on many items of research equipment because such equipment is for educational and research purposes only and is not intended and will not be used in the business of generating revenue. It would seem likely that the inclusion of a statement of this kind in an Act of the Government of the Province would be an invitation to the tax authorities to argue that, since the university is free to engage in the business of generating funds with its equipment and facilities, these items should be subject to tax. The impact of such an eventuality on the capital budgets of those universities heavily engaged in research endeavour would, to say the least, be significant.

8. The Minister and the budget

While reference has already been made to this matter, it is of such overwhelming importance that it deserves a second mention. On Page 27, Section 45 of the proposed Act, the Minister's power of approval over an institution's budget is mentioned, not once, but twice within the matter of ten lines. This emphasis on the Minister's power of approval of institutional budgets completely overshadows the weak protestation of expected limitation contained in the accompanying explanatory note. There will be absolutely nothing in the Act to prevent the Minister or his deputies from doing a line item by line item analysis of any institutional budget and carrying out amendments at that level. Universities would then surely be "provincially administered institutions".

9. Responsibility versus authority

In several places in the draft Act, great care should be taken in distinguishing between the words "responsibility" and "authority". As an illustration, in the explanatory note accompanying Section 50 (Page 30), the statement is made that "the Board has the final responsibility for all of the business of the institution, while the academic council has separate and broad powers over the academic affairs of the institution". It should be noted in the first instance that this note does not say that the Board has final authority for all of the business of the institution. This statement is not made for the simple reason that the *Minister* has the final authority, not the Board. We therefore have a classic case of assigned final responsibility without final authority. The note goes on to state that the academic council has separate and broad *powers* over the academic affairs of the institution. Yet it should be noted in Section 51 that it is stated that the academic council only makes recommendations to the Board concerning courses and programmes of study which are to be offered. Let us also not forget that the Board does not even have final autho-

rity in this matter. Under Section 6 of the proposed Act (Page 8), the Minister is empowered to evaluate, review and *re-allocate* new programmes of study and to approve the extension, expansion or establishment of any service, facility or programme of study by a member of the system of advanced education. In review, therefore, the academic council can recommend to the Board and the Board is under the complete control of the Minister. It is therefore indeed difficult to believe the accuracy of the explanatory statement accompanying Section 50, that "the academic council has broad powers over the academic affairs of the institution".

10. The second vote

Section 51 of the proposed Act (Page 31) provides for, among other things, the resolution of disagreements between the academic council and the Board by requiring that a second vote of the academic council be taken, should the Board refuse to accept an original recommendation of the council. The proposed Act then goes on to say "where the second vote on the recommendation by the academic council receives the approval of a two thirds majority of all members entitled to vote, the Board shall approve and act upon the recommendation *in so far as it is able to do so within the requirements of this Act*". Bearing in mind that the Board has final *responsibility* for the fiscal affairs of the university, and further bearing in mind that the Minister is empowered to amend their annual budget, it becomes abundantly clear that, in the event an academic council obtains its two thirds majority on a second vote, the Minister can overrule this academic vote simply by amending the Board's budget so that it is not able to implement the wishes of the academic council.

11. Internal university structure

Section 55 of the proposed Act (Page 33) states that, for each college and university, there shall be a President. It says nothing more about the officers or internal structure of the universities. The explanatory note accompanying this section states that this modification of the provisions of the existing Universities Act is in response to the belief that a more definitive determination of the internal structure of the universities might be seen as "undue interference in internal affairs". Considering the

sweeping powers that have already been given to the Minister to control, amend and approve or disapprove budgets, programmes, courses of instruction, etc. etc., it is indeed difficult to accept any kind of statement about concerns over interference in internal affairs! It is clear that the legislative draftsmen have completely ignored the requests for statutory recognition of the departmental structure of universities and the role of chairmen or heads of these departments. The existing decanal system will no longer have statutory recognition and even the Vice-Presidents have been stripped of statutory status. While it is both a difficult and dangerous point to argue, one cannot but be suspicious of the motivation for this move. It clearly further weakens the internal structure of the university, at least in the eyes of the law, thus making it easier for Government departmental structure to take over larger portions of the university administrative function.

12. The university system (Part II of the Act)

As has been mentioned previously, the legislative draftsmen, while proclaiming the absolute importance of a single piece of legislation covering all components of the system of adult education in the Province, have found it necessary to write subsequent Parts of the Act, each dealing separately with the distinctive and different segments of the overall system. Having also declared at an earlier point (explanatory note accompanying Section 55) that the institutions are to be encouraged to devise their own provisions for internal administration, the Part II of the proposed Act proceeds to define a whole variety of internal structural components.

13. Seeking student support

Section 71 determines the composition of the academic council of the university. It proceeds to enumerate a list of university officers who may not exist, since they are no longer required by Part I of the Act. More important, however, it proceeds to give students equal elected membership with staff members from the faculties. The hollowness of this gesture of power to the student body must surely be immediately obvious. The bulk of the earlier clauses of the proposed Act have effectively stripped General Faculties Council of any significant semblance of power and authority. Items 9, 10 and 12 above have already discussed how impotent

the academic council will be. Yet, even if the academic council did have some meaningful authority, its new size will be so totally unwieldy that the likelihood of its being able to wield what little power it has effectively is minimal indeed. Once again, therefore, the proposed Act strikes another blow at the workability of internal university administration, thus encouraging the transfer of real power and authority outside the universities' councils and into the control of the Ministry or its committees.

14. Seeking the support of the staff

Just as the draft Act seeks to win the support of the student body by offering it a large increase in representation, so it seeks to win the support of the academic staff by giving it the opportunity to choose a full union bargaining procedure on a wide variety of welfare and academically related matters. Again, surely the staff association will not be so naive as to buy the hollow gesture. Who will the staff association bargain with? The draft Act says the Board. But how can the Board bargain in good faith when its budget is subject to approval *and amendment* by the Minister? In short, the staff association will really be bargaining with the Minister but will have no access to him in the bargaining procedure. It is also interesting to note that the draft Act provides for a one-year lifetime only for the bargaining procedure. This will raise some very interesting questions regarding staff members on probation, on fixed term contracts, on sabbatical leave (if the terms of the sabbatical leave are part of the bargaining procedure) and many other related matters. It clearly fails to recognise any of the important aspects of academic staff administration. Even the possibility of changing the agreed procedures for remuneration and determination of associated benefits to staff members on an annual basis would quickly create chaos within the university system. Once again, the weakening of the internal administration of the institution encourages the transfer of power to the Government Ministry.

J.B. Hyne is Dean of Graduate Studies at the University of Calgary. His analysis of the draft Education Act has been presented to, and endorsed by, the Graduate Faculty Council of the University of Calgary.

ALBERTA WOMEN... from p. 6

sional lecturers, teaching staff appointed for less than a year at a time, with poor employment conditions and salary (according to the Task Force report, in 1973-74, 16.2 percent of women academics were on sessional contracts at the University of Alberta, compared with 6.4 percent of men); while this group still has little opportunity for upward mobility, its salaries have improved and at least it has an official spokesman.

At its September meeting, General Faculties Council, the university's chief decision-making body, "reaffirmed" its commitment to nondiscrimination in staffing decisions and recommended that when an academic vacancy occurs, the vacancy be widely advertized and that men and women be invited to apply; that selection committees give careful attention to all applications, regardless of sex; and that the selection committees show that these stipulations had been complied with.

Implementation of the Senate recommendation that General Faculties Council increase female representation on all committees, especially central decision making bodies, is

being helped along by a list of 251 nominations (all women) to GFC committees, generously prepared by another zealous AWA member. This fall's list of new committee members showed a noticeable increase in women, although a few particularly powerful committees are still all-male.

Steadily and surely, the changes necessary to remove the fact of sex discrimination at the University of Alberta are being pursued, and while it would be most unfair to suggest that this is entirely because of the efforts of an actively interested group of women, certainly that group has been highly instrumental in placing appropriate motions before appropriate bodies and pushing with skill and persistence until the motions produce action.

Even the blackest reactionaries would have difficulty branding the Academic Women's Association a radical group, for women academics at Alberta tend to be rather conservative in nature. In fact the AWA is fortunate that its members who are most actively concerned with women's rights (especially its indefatigable President, Jean Lauber) are armed

with a real political acuity, a sense of the possible (for if the women are conservative, the men are even more so). If this group determines that the Senate report and its recommendations will not die, they won't.

But the Academic Women's Association has not forgotten why it began: to bring women academics from all disciplines together, to enable them to learn from each other and support each other. The association does not purport to speak for all women academics at the University of Alberta, but it does have an active participating membership of more than a third. It is now intended that the group have province-wide representation; women academics at the Universities of Calgary and Lethbridge have expressed an interest in forming their own groups, so that a communication among academic women from all over Alberta may soon be reality. And, like the AWA itself, it will have just grown.

Ms. Rothrock is in the Publications Office of the University of Alberta.

The Draft Alberta Education Act and the Rights of Faculty Members

by Bernard Adell

Government departments in Canada do not very often give wide circulation to a full-length draft bill for the express purpose of soliciting public comment and criticism before the bill is introduced into the legislature. It is a particularly good thing that the Alberta Department of Advanced Education has made available such a draft of a new Adult Education Act, as it would be most unfortunate for higher education in Alberta if the final version of the statute bore any significant resemblance to the circulated draft. As it stands, the bill creates unbridled Ministerial direction in many areas of higher education, and many of its provisions — including some which may not be intrinsically objectionable — are so abysmally drafted that their effects, if any, are wholly unpredictable.

The general extent of the draft Act's enhancement of Ministerial power to intervene in the affairs of universities is made quite clear elsewhere in this issue by Dean J.B. Hyne. My task is to look first at those Ministerial powers which have more or less direct implications for the role of faculty members in university governance, and then to review the specific provisions in Part VI (ss. 102 - 106) which deal with the setting of the terms employment of faculty members.

1. The new Ministerial powers and their likely effects on the Universities

Many provisions in Part I ("General"), Part II ("The University System") and Part IV ("Provincially Administered Institutions") are clearly intended to take decisionmaking powers away from organs of the universities (in most cases, the Board of Governors or the General Faculties Council) and to give those powers to the Minister of Advanced Education or, less often, to the Lieutenant-Governor in Council (i.e., the Cabinet).

Part I of the bill (the "General" part) purports to remove from the Board of Governors of each university the final power over the internal financial affairs of the university. Section 45 (3) restricts the Board's power to allot the university's funds among the various claimant groups within the institution, by providing that the university's "annual operating budget shall be submitted for approval or amendment to the Minister as required by the Minister." This means that the government will have control not only over the global amounts of public funds given to each university — surely a matter which must ultimately be subject to political control in any event — but also over every item of detail in the budget of each university.

In addition, s. 44 restricts the Board's power to decide the time at which the university's funds will be used, by prohibiting the Board from engaging in deficit financing for any purpose whatever (apparently including operating purposes) without the Minister's approval. Both of these powers could frustrate negotiations between Board and faculty associations not only over faculty remuneration but also over other types of academic expenditure in which the faculty association, as spokesman for the academic staff, might well have a strong and legitimate interest.

Equally ominous — and perhaps even more ominous in the event of a crisis — is the power given by s. 9 to the Board of each university (with the approval of the Minister and the Ca-

binet) to self-destruct and to turn the entire university into a "provincially administered institution." This power could be used in a situation where a faculty association was pressing the Board vigorously for changes in priorities within the institution. Section 9 provides as follows:

9. (1) The Minister may, upon the request in writing of a board, recommended to the Lieutenant Governor in Council that the Board be dissolved.

(2) The Lieutenant Governor in Council by order, may declare that on a day named in the order the board is dissolved and thereupon the board ceases to exist.

(3) Upon the dissolution of the board,

(a) all the rights and property of the board become the rights and property of the Government,

(b) all debts and obligations of the board become debts and obligations of the Government, and

(c) subject to an order of the Minister, the provisions of Part IV ("Provincially Administered Institutions") shall be applicable to the institution governed by the board so dissolved.

Even though the power to apply it to a university might be used rarely if at all, Part IV can only be described as chilling in its implications for university autonomy and in its not much less direct implications for academic freedom. The Minister is given an open-ended power, under s. 82, to run a "provincially administered institution" by regulations made by him alone, including regulations "concerning programs of study or courses offered or to be offered by provincially administered institutions" and regulations "for such other things regarding provincially administered institutions as the Minister may deem advisable." The Minister is required to appoint a "president" as a sort of manager of the institution, with full powers to run the place, subject only to orders from the Minister. Not only is the university's Board dissolved if the Minister acts under s. 9, but its *student organization* is in such a case automatically dissolved according to s. 10 and its assets and property are given over to "one or more persons" appointed by the Minister. As a sort of *coup de grâce*, the last section in Part IV, s. 92, provides that if a university is declared a provincially administered institution under that Part, the "provisions of the Public Service Act apply... except where not otherwise inconsistent (*sic.*).". The intent of this incomprehensibly drafted provision is apparently to make the faculty members and other employees of the university into civil servants for as long as the university is under the Minister's tutelage.

Part IV is clearly inspired by the present Alberta Colleges Act, and seeks to enable the Minister and the Cabinet to impose upon any Alberta university the same sort of repressive trusteeship imposed upon Red Deer College a few years ago. Not only would any faculty collective bargaining rights fail to survive the invocation of Part IV; it is very difficult to see how *any* significant faculty rights could survive. Everything in the university would immediately become subject to the absolute discretion of the Minister, with no buffer of any sort and no appeal. It is inconceivable that a government with even the slightest concern for the freedom and the reputation of its universities

could allow such provisions to find their way into the statute books.

Even if the patent excesses of Part IV are put aside for the moment, the other extensive powers given to the Minister by Parts I and II show an irrational fear on the part of the authors of the draft bill that the Alberta universities are (or are about to become) a serious threat to the public interest and that they must therefore be brought to heel. Universities are not military academies or government social service agencies. If they are to perform their functions of developing and imparting knowledge and of providing reasoned social criticism, they need to be free of the fear as well as the reality of government domination. Past Alberta governments less sophisticated in some ways than the present one have recognized that need, and have allowed the province's universities to develop freely to a position of substantial equality with any in Canada. It would be tragic if temporary political pressures, and the blind spots of a few momentarily powerful people, were now to undermine what has been built up over a very long time.

2. Provisions relating specifically to faculty employment terms

After having shown considerable insensitivity to the traditions and needs of the universities as a whole in Parts I, II and IV, the draft bill changes its tone to a degree in Part VI, headed "Staff Affairs". The note of suspicion and restrictiveness which permeates the earlier Parts gives way in Part VI to a sort of confused indulgence. The indulgence, as we will see, is limited; the confusion is not.

Section 104(1) provides that "for each college or university there shall be an academic staff association to provide for the administration of the affairs of the academic staff members," and s. 104(2) says merely that "an academic staff association is a corporation." In the absence of any definition or further elaboration in the statute, how is the *true* "academic staff association" at any university to be identified if, as has often been the case in other jurisdictions, there is more than one organization which claims to represent faculty? And what Canadian faculty association has ever purported to "administer the affairs" of its members?

Section 106, set out in full in the Appendix below, is the major section on faculty bargaining rights. What the explanatory notes of the bill describe as a "menu" approach comes to the fore here. The faculty association must choose, in each and every year, which of an infinite variety of procedures will govern its negotiation of faculty employment terms with the Board of Governors for the coming academic year. Not only is the annual choice supposed to cover negotiations of that sort; it is also supposed to provide a means "for the settlement of disputes" between faculty association and board, as well as "disputes between academic staff members." Just what sort of "disputes" the draftsmen had in mind is not at all clear, as the word is not defined.

The four clauses of s. 106(2) are the main part of the "menu". Clauses (a) to (c) offer *table d'hôte* alternatives. Clause (a) seems to envisage a regime of pure individual bargaining, each faculty member negotiating his own terms with the Board, and the faculty association explicitly not representing anyone. But all three

major Alberta universities have faculty handbooks, which now set most of the employment terms of faculty members other than their annual salary figures. Indeed, at the University of Alberta and Lethbridge many of the faculty handbook terms are explicitly made binding upon each faculty member by the terms of his own employment contract, and at the University of Calgary much of the handbook is undoubtedly incorporated by implication into each faculty employment contract. Would the choice of option (a) mean that none of the handbook terms negotiated by the various faculty associations could be binding? Does it mean that the faculty association could play no part in processing faculty grievances? Until these questions were cleared up, no sane faculty association would ever choose option (a).

Option (b) looks like an attempt to set out something resembling the present situation at each of the three universities. But what is a "general contract of employment?" The present faculty handbooks are not employment contracts at all, "general" or otherwise. They merely set out terms which can be explicitly or implicitly incorporated into the individual employment contract of a faculty member when he is first hired or at some later time. Would option (b) permit the faculty association and the Board to bind individual faculty members by any amendments they might subsequently make to the "general contract" or to the "procedure for settlement of disputes"? The negotiating procedures now in effect at all three Alberta universities contain elements of option (a) and elements of option (b); neither option comes very close to encapsulating the actual procedure at any Alberta university.

Option (c) is the most interesting, and the most incomprehensibly expressed. The collective bargaining provisions of the Alberta **Labour Act**, clause (c) says, "shall apply to the terms and conditions of employment, wherein the academic staff association is the 'bargaining agent' for all members of the academic staff association...". In general, it clearly aims to give faculty associations *some* collective bargaining rights under the **Labour Act**. But *what* rights? The relevant provisions of the **Labour Act** do not hand certification to any trade union on a platter; they require the union first to prove several things to the provincial Board of Industrial Relations. Among those things are the appropriateness of the unit of employees for which the union seeks to bargain, the union's freedom from employer influence and from serious constitutional flaws, and (perhaps most important) the union's possession of majority support in the bargaining unit. Option (c) is wholly unclear on the vital matter of whether it would give a faculty association outright certification without requiring it to prove any of those things, or whether it would merely permit the faculty association to apply to the Board of Industrial Relations for certification on the same footing as any other as-yet-uncertified union. If the former is the intent, the bill would indeed put academic staff associations into an oddly privileged position — a position made all the more unusual by the bill's failure even to define "academic staff association." If the intent of option (c) is the latter — merely making the **Labour Act**'s certification procedure available on the same terms as it is available to any union — then one might well ask why option (c) was included at all, as the **Labour Act** is almost certainly open in any event to faculty associations. Recent faculty certifications at four English-speaking Canadian universities outside Alberta could hardly be ignored by the Board of Industrial Relations, and a 1963 Alberta court decision to the effect that universities are not employers under the **Labour Act** is probably no longer valid even in Alberta.

Two other problems are created by the wording of option (c). First, what does the bill mean when it says that the **Labour Act** "shall apply to the terms and conditions of employment..."? The **Labour Act**, like other Canadian labour relations statutes, does not apply to *employment terms* but to *parties*. Second, and more important, why does the bill provide that the faculty association would become the bargaining agent for its *members* only? The **Labour Act** imposes a clear duty on a certified union to represent all employees in the bargaining unit, whether or not they are union members, and it makes the collective agreement between union and employer binding upon all such employees. It is difficult to see how the terms of the **Labour Act** could apply to a situation where a union was bargaining only for its members; puzzling questions of statutory interpretation would come up at every turn. The puzzle is merely compounded by s. 106(8), which provides that a collective agreement made by a faculty association would be binding on "all... academic staff members." On the whole, the terms of s. 106 (2) (c) are so incomprehensible, and so inconsistent with the **Labour Act** itself, that they cannot be said to confer any benefit whatever upon Alberta faculty associations.

So much for the *table d'hôte*. The *à la carte* part of the "menu", option (d) under s. 106(2), allows a Board and faculty association to adopt, in lieu of options (a) to (c), any other "method of contract negotiation and procedure for settlement of disputes" which they might both agree to adopt. In light of the ambiguities and inconsistencies in the wording of options (a) to (c), it seems overwhelmingly likely that the parties would try to use option (d) to devise a comprehensible set of procedures. Obviously, though, option (d) requires the agreement of both parties. A faculty association might well find that it could not reach agreement with the Board on the choice of procedures for any particular year, and that it therefore had to pick one of the other three alternatives — each of which is so poorly drafted that the association would in no case have a clear idea of what it was opting for. If the association, conscious of the vagueness of each alternative, refused to choose any of them, s. 106(5) would impose option (a) — a primitive form of individual bargaining which, as noted above, might not even give faculty members the benefit of the terms set out in faculty handbooks.

Further difficulties are created by the requirement in ss. 106(4) and (5) that the faculty association make a fresh choice each year. This may mean that no faculty collective agreement, or any other sort of commitment relating to faculty employment terms, could be binding for more than one year. It would clearly mean that each faculty association would be required by statute each year to go through the time-consuming and potentially divisive process of choosing and designating the procedure for the coming round of negotiations.

In its initial clause, s. 106(6) provides that an agreement negotiated under options (b) or (d) of s. 106(2) would be called a "collective agreement" — a further element of confusion, because the legal effects of such an agreement would be significantly different from those of a collective agreement under the **Labour Act**. The rest of s. 106(6) is a long list of matters which *must* be dealt with in any agreement negotiated under option (b) or (d), but not under option (c). One of the great strengths of collective bargaining under labour relations legislation is the fact that it provides a procedure for the equalization of bargaining power and for the conduct of negotiations while leaving the parties very largely free to choose the substantive terms that will go into their agreements. The listing of compulsory terms in s. 106(6), although it does not go as far as to spe-

cify the actual content of any of those terms, does considerably restrict the right of the parties to decide what ought to be covered.

Finally, but by no means of least significance, is the restriction on strikes in 106(9). Neither option (b) nor option (d) under s. 106 (2) would give faculty members the right to strike, but option (c) would probably confer such a right, subject to the many obscurities noted above in connection with that option. However, whatever the effect of option (c), s. 106(9) gives the Minister an unlimited discretionary power to "suspend" any strike (legal or not) which might be called under that option, as well as any (illegal) strikes that might be called during the currency of one of the other options.

Subsection (9) is at least consistent with the rest of s. 106 in one respect — the quality of its drafting. What does "suspend" mean? May the Minister *prohibit* a threatened strike before it occurs, or may he only *postpone* it? For how long may he postpone it? Until the summer vacation? If the strike has already begun, for how long may the Minister "suspend" it? Permanently? Is there to be no limitation of the suspension to, for example, a 90-day period, as in the recent British Columbian statute ordering certain groups of strikers back to work? And on what sort of evidence may the Minister rely in deciding that the strike "will cause undue hardship for students?"

The vagueness of the word "suspend", coupled with the lack of any time limit and with the conferral of the suspending power on a single Minister, rather than upon the entire Cabinet or upon some other tribunal, makes s. 106(9) a uniquely broad and arbitrary restriction of the right to strike. In addition, the draft bill contains no provision of the sort found in a very recent back-to-work statute in Canada — provision for some alternative means of settling the strikers' employment terms. Section 106(9) provides further evidence — if any is needed in the light of the rest of s. 106 — that the draft bill was prepared not only in the absence of any serious attempt to think through the meaning and effect of its provisions, but also in the absence of any serious respect for the right to strike and of any serious attention to the relationship between the bill's provisions and those of the Alberta **Labour Act**.

Appendix — Section 106 of the draft Adult Education Act

106 (1) Upon an order made pursuant to subsection (4), an academic staff association and a board shall agree to the terms and conditions of employment specified in subsection (6).

(2) An academic staff association shall make by-laws for the purpose of selecting one of the following procedures for the negotiation of the terms and conditions of employment of academic staff members and for the settlement of disputes between academic staff members and the board and between the academic staff association and the board:

- (a) the academic staff association shall not represent its members in the negotiation of the terms and conditions of employment or the procedure for settlement of disputes, and the board and each member of the academic staff association shall agree to the terms and conditions of his employment;
- (b) the academic staff association shall negotiate on behalf of all members the terms and conditions of a general contract of employment, and a procedure for settlement of disputes, and such terms and conditions thereafter shall be deemed to be part of each member's individual contract of employment;
- (c) Part IV of the Alberta Labour Act, 1973,

shall apply to the terms and conditions of employment, wherein the academic staff association is the "bargaining agent" for all members of the academic staff association; or

- (d) any method of contract negotiation and procedure for settlement of disputes which by agreement the board and the academic staff association have determined to be appropriate.

(3) Upon a selection made pursuant to subsection (2) an academic staff association shall declare its selection by notifying the Minister in writing.

(4) Upon receiving a notification pursuant to subsection (3), the Minister shall order the method described in the notification to be effective for one year, and thereupon, the declaration of the academic staff association is binding upon all members of the academic staff association.

(5) Where an academic staff association fails to make a selection under subsection (2) or fails to notify the Minister of its selection under subsection (3), in any year, the academic staff association shall be deemed to have selected

the procedure described in clause (a), subsection (2).

(6) The agreement made pursuant to clause (b) or (d) of subsection (2) shall be called a "collective agreement" which shall include provision for the following matters:

- (a) hours of teaching,
- (b) vacation leaves, leaves of absence, sick leaves and maternity leaves to be allowed.
- (c) salaries and remuneration to be paid and the establishment of salary and wage schedules for that purpose,
- (d) educational leave or staff development leave to be allowed,
- (e) travel and conference subsidies,
- (f) procedures for determination of terms and type of appointment.
- (g) determination of interest in any invention or copyright produced by an academic staff member while employed by the board,
- (h) duration of the employment contract being negotiated,
- (i) grievance procedures,
- (j) conditions and procedures governing reassignment, suspension or dismissal

by the board,

- (k) procedures for promotion,
- (l) procedures for the evaluation of merit,
- (m) any other matters mutually agreed upon by the board and the academic staff association.

(7) Except in the case of section 106, subsection (2), clause (c), a board and an academic staff association shall agree on a procedure for the settlement of disputes before any contract negotiations begin.

(8) An agreement under this section is binding on the board and on all of its academic members.

(9) Notwithstanding the terms of any other Act, or the provision of any agreement made pursuant to this Part, the Minister may suspend any strike called by an academic staff association or lockout called by a board as a result of unsuccessful contract negotiations when he determines that a strike or lockout will cause undue hardship for students.

Professor Adell is in the Faculty of Law at Queen's University, and is a member of the CAUT Collective Bargaining Committee.

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THE GOOD OLD DAYS:

The History of Academic Freedom In Canada: A Comment

By Michiel Horn

"The history of academic freedom and tenure in Canada has yet to be written..." the then Professor Bora Laskin wrote eleven years ago.¹ These were the opening words of his contribution to *A Place of Liberty*, a book sponsored by the CAUT. He did discuss some cases, however, and one of them was the celebrated *affaire Crowe* at United College, Winnipeg, which Laskin had got to know very well as one of the two fact-finders assigned by the CAUT to enquire into it.

There is still no history of academic freedom in Canada. The two papers reproduced here, however, provide a good start. Both were presented at the meetings of the Canadian Historical Association in Edmonton, in June 1975. The first, by Mr. Douglas Francis, deals with a *cause célèbre* of the early 1940s, the attempted firing of Professor Frank Underhill by the University of Toronto. The second, by Dr. D.C. Savage, subjects the case of Professor Harry Crowe to a closer analysis than Laskin gave it. The two papers reflect a growing interest in Canadian intellectual and educational history. It is to be hoped that other historians will expand this beach-head in the history of our universities.

The historian Frank H. Underhill was in particularly serious difficulties during the years 1939 to 1941. Because loyalty to the British connection was in doubt, he became the object of a determined attempt to dismiss him from the tenured post which he had held since coming to Toronto from the University of Saskatchewan in 1927. Mr. Francis makes it clear that Underhill's troubles went back almost to the day of his arrival. Controversy surrounded the historian throughout the 1930s.

Underhill Indiscreet

It is not easy to assess what his enemies disliked most in Underhill, his anti-Imperialism, his socialism, or his trenchant way of expressing himself. The man did not fit the image which people had of professors as being respectable members of society who expressed their views with good taste and a seemly discretion, particularly in the realm of politics. The belief that professors ought to refrain from political partisanship was fairly widespread between the wars. Thus one member of the Board of Governors at the University of Toronto said in 1929: "After all, your university professor is in the same position as the school teacher. Is he not? Doesn't his salary come out of the taxes? People paying the taxes send their children to schools and they don't want politics preached to them..."²

Ces deux affaires d'atteinte à la liberté universitaire au Canada, qui forment la plus grande partie de ce rapport spécial ont tout d'abord été présentées aux réunions de la Canadian Historical Association à Edmonton en juin 1975. Dans son introduction, Michiel Horn déclarait: "Pris ensemble, ces deux documents constituent un avertissement à tous ceux qui voudraient découvrir dans l'histoire des universités et du professorat au Canada une "Belle époque" de ne pas remonter trop loin dans l'histoire."

The fear that academics who held strong political views would use their classrooms to spread them was mainly focussed on radicals. There seem to have been no openly self-professed communists on the teaching staffs of Canadian universities in the Twenties and Thirties, but there were some socialists. They were few enough. Despite the occasional suggestion in the press that some university or other — the University of Toronto was usually singled out — was a hotbed of socialism and even harboured communists or scholars sympathetic to the Reds, the number of academics who actually identified themselves openly with the CCF was well below fifty. Only at Toronto and McGill were there more than two or three. A somewhat larger number of academics across the country, perhaps as many as seventy-five, belonged to the League for Social Reconstruction (LSR), of which Underhill was a founding member and first national president. An organization of left wing intellectuals formed in 1931-32, the LSR never formally affiliated with the CCF. By the summer of 1933, however, it was becoming known as the "CCF brain trust."

The evidence does not support the statement by Mr. Francis that it was Underhill's involvement in the LSR which led to his conflict with U of T officials. More important was the central part which he took in the organization of the Ontario CCF Clubs during the winter of 1932-33. In vain did Underhill try to counter criticism by demonstrating that left wing political involvement was permitted to academics in Great Britain and the United States. He and E.A. Havelock, a classicist at Victoria College, were soon pressured by their institutions into resigning from the provincial executive of the CCF Clubs.

Even before this Underhill had made enemies. His monthly column in *The Canadian Forum* managed to offend; so did his writings elsewhere. In 1931 the Conservative morning daily, the *Mail and Empire*, responded to an Underhill article in the *New Statesman & Nation* by suggesting that President Falconer discipline the professor who had dared to criticize the government of R.B. Bennett. This

prompted the exchange of letters between Falconer and Underhill which Mr. Francis cites briefly.

Underhill's insistence on commenting often and pungently on political matters, and on playing a minor part in politics himself, occasionally disturbed even some of his friends. The man who had been responsible for bringing him to the University of Toronto, George M. Wrong, in late 1933 took him to task for appearing to have abandoned scholarship to engage in unseemly political wrangling. Wrong warned Underhill that demands for his dismissal would mount if he continued in his ways.³

Partisanship Inacceptable

Underhill was not alone among academics in being attacked during the 1930s. Among those who were criticized publicly or within their universities for partisanship were socialists and liberals like Havelock, W.H. Alexander at Alberta, E.A. Forsey and F.R. Scott at McGill, and R.A. MacKay at Dalhousie. Others, such as Carlyle King at Saskatchewan, A.R.M. Lower at United College, and G.M.A. Grube at Trinity College, Toronto, found that speeches which were judged by some to be disloyal to the British connection could prompt demands for disciplinary activity or dismissal just as easily as partisanship could. At United Theological College in Montreal, J. King Gordon was actually dismissed in 1933-34. Although the grounds for this were ostensibly budgetary, the matter created considerably controversy within the United Church. Not a few people believed that it was Gordon's outspoken Christian socialism which had led to his dismissal. The circumstantial evidence certainly seems to point that way.

The Underhill case stands out because it did involve a blatant interference with academic freedom, an effort to remove someone from a tenured post because of his unpopular opinions, especially those concerning Canada's ties with Britain. There were people who thought no issue of academic freedom was involved. George Drew, Leader of the Opposition in Ontario, put it to Alan Plaunt in 1939 that university professors had no more right to undermine the British connection than ministers had to undermine the beliefs of the church in which they were ordained. Indeed, professors ought as part of their job to strengthen the young in their commitment to Empire unity.⁴

The truth is, as Mr. Francis rightly suggests, that academic freedom was ill-understood by many legislators, newspaper editors, members of governing boards and administrators. (And, one may add, by many professors as well.) Implicit in much of the criticism levied against Underhill and others was the view that aca-

A "GOLDEN AGE" OF ACADEMIC FREEDOM?

demics did not and should not enjoy the freedom to challenge existing political and economic institutions. As the *Montreal Gazette* once suggested in 1938: "Can these professors, holding political views, economic opinions, perhaps even legal conceptions, that are not acceptable to the great majority of Canadian parents, confine their teaching to the principle (the sanctity of private property) in which these parents believe?"¹ According to this view, professors ought to reinforce the prevailing wisdom, not challenge it.

On the whole university presidents defended freedom of teaching. But they looked with disfavour, as Falconer and Canon Cody did, on claims by Underhill and others that they were entitled to freedom of expression outside the university, too. They looked on it with particular disfavour when these claims led to unwanted publicity for the university, for this usually led also to unhappiness on their governing boards.

Mr. Francis suggests that Underhill, in retaining his teaching post in the face of the termination of President and Board to be rid of him, became the victor "in his battle for the right of academics to teach and pursue political activities simultaneously," and that this victory was important not only for himself — as indeed it was — but also for academic freedom. "Although it did not result in the formulation of a theory of academic freedom," Mr. Francis concludes, "it did in practice consolidate and strengthen those individuals who were fighting for freer expression within the Canadian universities." This conclusion is open to question.

Canadian Academics Timid

There is no evidence that in the 1940s and 1950s an increasing number of academics became active politically because of the outcome of the Underhill case or for any other reason. It may be, in fact, that Underhill's experiences confirmed the timidity of many Canadian academics. As recently as ten years ago John Porter was able to assert that "it would probably be difficult to find another modern political system with such a paucity of participation from its scholars."² Porter ascribed this in part to the influence among social scientists of Harold Adams Innis, who disapproved of professors becoming actively involved in politics. More important was the natural wish of many academics to stay out of trouble.

At the time of Underhill's troubles there was no nation-wide body of university professors to aid him. When one finally came into existence in 1951, it was, as Dr. Savage states in his paper, concerned with the declining economic status of professors far more than with the issues of academic freedom and tenure. It

was these issues, however, which took centre stage in the controversy at United College. Professor Harry S. Crowe was an historian who had, coincidentally, taken a course from Underhill at the M.A. level, and who shared Underhill's critical attitude towards conventional verities. He drew less attention than the more senior man,³ however, and had not been an especially controversial figure in the years before his peremptory dismissal from his tenured post in 1958. In the aftermath of his firing 17 other teachers and two members of the academic support staff resigned from the college or chose not to seek re-appointment. The list of those who left includes the names of several people who are now among the brightest ornaments of the Canadian academic world.

The Crowe Case

Largely because it became the occasion of the first investigation of a member's grievance by the CAUT, the Crowe case is better known than the Underhill case. The interest of Dr. Savage's article, therefore, does not rest primarily in his retelling of the story but in his discussion of the place the Crowe case assumed in the development of the CAUT and of the idea of academic freedom in this country. The case forced many Canadian academics to think about the meaning of academic freedom and tenure, and about university governance, more closely than they had before. It also led the CAUT to enunciate policy statements on the matters of academic freedom and its protection.

Dr. Savage shows that Canadian academics were by no means united on the need for statements of principle or procedure. Academics are rarely united over anything. One depressing conclusion which can be drawn from the troubles at United College — more recent cases also come to mind — is that no breach of academic due process or offence against basic decency in human relationships is so gross that some professor will not try to justify it.

The statement on principles finally adopted by the CAUT was, as Dr. Savage points out, much influenced by the documents on academic freedom and tenure of the American Association of University Professors. There were significant variations from the AAUP position, however. Most interesting, perhaps, is the refusal in Canada to make a case for limitations on academic freedom at religious institutions. Dr. Savage does not speculate about the reasons for this, but we may surmise that the United Church connection of United College led the framers of the CAUT statement to the view that professors in church-related colleges needed at least as much protection as their colleagues elsewhere.

Taken together, the two papers are a warning

to those who feel a need to look for a 'golden age' in the history of the universities and professoriat in Canada, that they should not look into the distant past. From the 1940s into the 1960s salaries were meagre and research was often starved for funds. The remarks about "the plight of the humanities" and "the financial crisis of the universities" in the Massey Report⁴, for example, are descriptive not only of the years immediately after World War II. By comparison salaries, especially of senior academics, were better in the interwar years. Academic freedom, on the other hand, was scarcely safe. Until recently tenure at most institutions was typically held during the pleasure of the governing board, usually on the advice of the chief executive officer. This seems to have had the effect not so much of keeping professors 'on their toes' as of keeping many of them on their knees. One's admiration for those teachers willing to express unpopular opinions increases with a reading of these two papers, as well as one's admiration for those presidents who were willing to defend controversial people against all comers.

The biography of Professor Underhill which Mr. Francis is writing should, when it appears, be a welcome addition to our knowledge of Canadian intellectual history. Dr. Savage's forthcoming history of the CAUT should provide fine insight into the growth of the groves of Canadian academe. Who knows, either of the authors may in due time tackle that study which is now overdue — the American counterparts, by Richard Hofstadter, Walter P. Metzger, and R.M. MacIver, appeared twenty years ago — a history of academic freedom in Canada. In it, the names of Underhill and Crowe will loom large.

1 Bara Laskin, "Some Cases at Law," *A Place of Liberty*, ed. George Whalley (Toronto and Vancouver, 1964), p. 177.

2 Angus MacMurchy, quoted in *The Varsity*, 1 Nov. 1929.

3 George M. Wrong to Underhill, 7 Dec. 1933, *Public Archives of Canada*, F.H. Underhill Papers, vol. 8.

4 George A. Drew to Alan M. Plaunt, 18 April 1939, U.B.C. Archives, A.M. Plaunt Papers, vol. 2.

5 *Montreal Gazette*, quoted in Eugene Forsey, "Paper Attacks McGill Professor," *New Commonwealth*, 27 Aug. 1938.

6 John Porter, *The Vertical Mosaic* (Toronto, 1965), p. 503.

7 Canada, Royal Commission on National Development in the Arts, Letters & Sciences, *Report* (Ottawa, 1951), pp. 136-43.

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The Threatened Dismissal of Frank H. Underhill from the University of Toronto — 1939-1941

by Douglas Francis

From the time of his arrival at the University of Toronto in 1927, Professor Frank H. Underhill was a controversial figure. His continuous attacks on the Toronto establishment, his anti-Imperialism, and his later socialist views, presented in a witty and pungent style and with an iconoclastic thrust, made him a popular teacher with many of his students but an *enfant terrible* among university and governmental authorities. President Robert Falconer and his successor, Canon H.J. Cody, were compelled on many occasions to reprimand Underhill for his outspoken views which, they felt, were causing considerable embarrassment and bad publicity at a time when the University was coming under severe financial pressure from the provincial government. At the root of the conflict were divergent views of academic freedom. Underhill believed that academic freedom meant the right of professors to speak out on public issues and to participate in political movements and parties as part of the traditional British rights of free speech and free assembly. If universities were truly autonomous, he claimed, then professors should be free to express their views publicly. President Falconer, expressing a viewpoint that was popular with university and governmental authorities at this time, replied to Underhill that

for a professor, whose salary and position are maintained by the goodwill of the people as a whole, to enter into party politics, is in my judgment not only inexpedient but dangerous to the well-being of the University.¹

Underhill's controversy with university officials came partly as a result of his association with the League for Social Reconstruction, a group of socialist intellectuals dedicated to reforming Canadian society. At various times Underhill's name came up at meetings of the Board of Governors over this association. Underhill also upset the Board when he publicly attacked Sir Edward Beatty, President of the Canadian Pacific Railway, accusing him of being a "traffic cop" for his continuous disparaging claim that university Department of Economics were full of socialists.² This controversy was followed by a damning indictment of the Ontario Premier, Mitchell Hepburn, by Professor E.A. Havelock, a friend of Underhill's in the L.S.R., for Hepburn's sympathy with General Motors in the automobile strike of 1937. Although Underhill was not involved in the incident, his name came up at the Board meeting in which the Governors were concerned that "socialism and communism" were being taught in the university and by faculty members who were sympathetic to these "isms."

During this period when the Board was feeling on the defensive, Underhill participated in a radio debate with George Ferguson on the topic "Freedom of the Press," in which he attacked the monopoly of the press by a few "private

Cet article traite de la tentative de congédiement de Frank Underhill par l'Université de Toronto au début des années 40. Cette affaire est importante parce qu'elle constituait une atteinte criante à la liberté universitaire, une tentative pour congédier quelqu'un d'un poste permanent à cause de ses idées impopulaires, en particulier en ce qui concernait les liens entre le Canada et la Grande-Bretagne. Selon M. Francis, la notion de liberté universitaire a été mal comprise par de nombreux législateurs, rédacteurs de journaux, membres des organismes administratifs et administrateurs. L'opinion généralement admise était que les universitaires n'avaient pas, et ne devraient pas avoir le droit de s'attaquer aux institutions politiques et économiques de leur époque.

profit-seeking millionnaires," referring of course to George McCullagh, owner of the *Globe*, who had recently added the *Mail* to his editorial domain. McCullagh retaliated and demanded that "certain professors, like Mr. Underhill, (be) turned out *en masse* and the public (be) relieved of the burden of supporting the kind of 'education' they support."³ Cody urged Underhill not "to cause any more trouble in the near future," since McCullagh was "after (his) scalp." Underhill complied with Cody's wish for a short time. But by November of 1938, he was discussed again at a Board meeting because of a controversial broadcast in which he had claimed that "Britain did not seem able at the present to do anything beyond giving away the territory of other nations. The Board discussed the case and decided once again, to take 'no further action.'"⁴ No sooner had this incident died down than Underhill became embroiled in another and more serious incident. Ironically, however, the attack was not warranted by anything that Underhill had done at that particular time.

"Hurling Insults"

On April 13th, 1939, the Ontario Premier, Mitchell Hepburn, quoted in the Legislature part of a speech by George Grube, a classics professor at Trinity College and a friend of Underhill's, in which Grube had "hurled insults at the British Empire." Colonel George Drew, the Leader of the Opposition, shifted the attack from Grube to Underhill, and proceeded to read a passage from *Canada Looks Abroad*, a recently published book, which contained a controversial quote from a 1935 paper Underhill had written for the Canadian Institute for International Affairs. Drew read with distaste:

We must therefore make it clear to the world, and especially to Great Britain, that the poppies blooming in Flanders fields have no further interest for us. We must fortify ourselves against the allurements of a British war for democracy and freedom and parliamentary institutions, and against the allurements of a League war for peace and international order. And when overseas propagandists combine the two appeals to us

by urging us to join in organizing "the Peace World" to which all The British nations already belong, the simplest answer is to thumb our noses at them.

Premier Hepburn was also annoyed and declared that if the "proper authorities do not do something to bring these men (Grube and Underhill) into line... then I shall consult with the law officers of the House, and with the honorable Leader of the Opposition, and devise some means of dealing with them — some means, I'm confident, that will meet with the approval of every loyal member of this House."⁵

The Board of Governors was concerned, and asked the President to meet with Underhill and then to make a full report to the Board of his findings. The President met with Underhill on April 18th, and accused him of being "a trouble-maker who was costing the University untold sums of money (this business came just in the midst of troubles about our estimates) and told me that it would all depend on how I behaved before the Governors whether I came out of the business safely."⁶ After this initial bout, Cody insisted that Underhill explain in writing the circumstances surrounding the publication of the quote and to "express regret for the phraseology about Flanders poppies and thumbing our noses."

In his letter to the President, Underhill claimed that the memorandum from which the quote was taken was prepared for a meeting of the Canadian Institute for International Affairs at which he was requested to present the isolationist point of view. At the time he did not know that this memorandum would be read at the conference and later published. R.A. MacKay, the editor of *Canada Looks Abroad*, cabled Cody confirming Underhill's innocence about publication.

As for the controversial quote, Underhill assured Cody that the reference to the poppies in Flanders Fields was not, contrary to popular opinion, "a reflection upon the soldiers who fought on the Western front during the Great War. After all, I am one of those soldiers myself. The sentence meant simply, as its whole context showed, that events since 1918 had convinced me that the fact that we had buried 60,000 Canadians in Europe in that war was a very good reason why we should not bury more of them in Europe in another war." Underhill claimed that he was still of the same opinion, but that he now realized that the sentence on Flanders Fields and the comment "thumbing our noses" "were phrased in such a way as to be offensive to a good many people, and I regret very much having expressed myself in this way." He cautioned Cody that he could make no guarantee that he would "never at anytime in the future say or write anything which, when dragged out of its context, may give some one the excuse for denouncing (him) as being offensive or disloyal." The most he could assure was to do his best in future "to behave as reasonable men would expect a professor to behave."⁷

Cody also asked Underhill to present a detailed outline of his military services during and after the First World War. It would appear from this that Cody was supporting Underhill,

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since FHU's war record could only strengthen his case with the Board. Underhill also learned afterwards that "one of the chief things that helped me with the Governors... was the astounding revelation that a man with my opinions had actually served in France."⁸

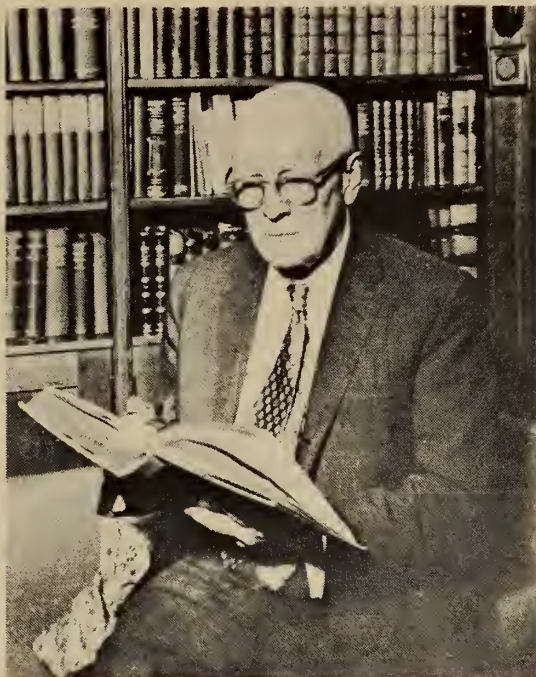
Cody wrote Chester Martin, head of the History Department, for a statement of Underhill's academic activities. Martin replied that he had "never heard criticism from any quarter with regard to Mr. Underhill's loyalty to the Department and to the University." As for the statement quoted from *Canada Looks Abroad*, Martin believed that "it was indefensible and unworthy of a scholar in Mr. Underhill's position,"⁹ to make such statements, but that the quote should not be construed as being a recent offence since it was written four years ago. So in a lukewarm way Martin was willing to defend Underhill in the present dispute.

Repercussions

Members of faculty were alarmed about the possible repercussions of Underhill's dismissal for academic freedom within the university. Dean Beatty and Harold Innis initiated a meeting of the heads of the Arts departments in the University of Toronto and University College on April 18th and proposed "to set up a small committee which would voluntarily assume the task of investigating public statements made by members of the staff which prove to be irritating to a section of the public and to the detriment of the University." The committee offered to begin this new task immediately by dealing with the Underhill case, thus hoping to get it out of the Board's jurisdiction. Cody never accepted this offer.

The students applied pressure by a petition with over one thousand signatures to President Cody. The petition stated that Professors Grube and Underhill had a right to express their views as private citizens outside the university. At no time had the two gentlemen ever tried to promote "their private beliefs among the students of the University," and therefore to restrict their free expression could only be interpreted as a blow to Canadian democracy.¹⁰

The Board met on April 19th to hear the opinions expressed by a deputation of professors consisting of Dean Beatty and Professors Innis, Kennedy and Martin. Underhill was also called before the Board to give his side of the case. After much debate the Board decided to adjourn any decision to a future meeting when the President could "prepare a paper embodying all the facts of the situation."¹¹ This delay Underhill interpreted as a convenient means to avoid a decision until after the legislators had departed from Queen's Park. He still saw the real villains as the provincial authorities and was of the opinion that once they were placated, the Board would simply issue a statement "censuring me for my language and then the matter will be allowed to die." Indeed, it is very possible that the provincial government was pressing the university authorities and threatening to reduce their grant as stated in the Legislature. Cody was reported later (when the issue broke out again in early January 1941) to have admitted that he and the Board were constantly under pressure to deal with Underhill. Furthermore Mr. Balmer Neilly, an engineer on the Board, was convinced that "the cut in this



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Frank H. Underhill

year's Government grant" was the direct result of the "resentment of many influential people" to the "loose statements" made by Underhill and other members of the staff like him. Neilly warned that should Underhill remain, "and he or others like him, transgress again, we may find out grant again reduced and the whole future of the University put in jeopardy."¹² There is, however, no direct proof that this was the case. But for some reason, whether it was governmental pressure or simply a determination to curb Underhill's utterances because of the embarrassment he had caused the University, the Board was not prepared to let the matter drop.

Cody gave a fair, accurate and full account of the incident in his official report to the Board. He stressed the difficult balance that the university must achieve between maintaining its intellectual freedom against all tyranny and assault and ensuring responsibility on the part of its professors to seek the truth and to express this truth in "dignity, good taste and the decent restraints of scholarship." It is possible that the "tyranny and the assault" Cody was referring to was that of the provincial government; there is, however, no direct reference in the report to indicate that this was the case. Cody urged that "the Board take no further action at present," since Underhill had agreed to act in a scholarly manner in the future. His motion carried.

Tranquillity Shortlived

The President's decision to forego action against Underhill ended this case, and things quieted down. The tranquillity, however, was short lived. By September, war was underway once again in Europe and the bright young minds of the nation were being urged to abandon their studies for a greater cause by fighting in the battlefields of Europe. Conditions were very tense in Toronto especially when France fell in the spring of 1940. There seemed little hope of defeating Germany unless the Americans joined the Allied cause; Britain could not do the task alone. This was an uncomfortable realization that many Canadians found hard to accept. It was in this tense atmosphere that

Canada and the United States signed the Ogdensburg Agreement on August 17th, 1940.

On August 23rd, Underhill participated in a panel discussion at the Y.M.C.A.'s Institute on Politics and Economics at Lake Couchiching on the appropriate topic "A United American Front."¹³ In his speech Underhill gave his views on the recent Ogdensburg Agreement. The *Orillia Packet and Times* and the *Toronto Telegram* reported the next day that Underhill's interpretation of the mutual pact meant a severing of the ties between Britain and Canada and a tightening of Canadian-American relations in its place. These reports created another storm throughout Ontario and especially in Toronto, and renewed once again his fight with the university and governmental authorities.

Couchiching

This time the controversy centered on the question of what exactly Underhill had said at Couchiching. No official record of the speech had been kept so that the only sources of information were Underhill's rough notes and the newspaper reports. There were divergent interpretations of what he had said, and many of the reporters had offered their own impressions of the speech rather than quoting verbatim.

Cody immediately rushed off a telegram to Underhill at Couchiching on Sunday, August 25th demanding "a full statement of what you said Friday evening. I thought you were not making public speeches at present." Underhill wired back assuring Cody that there was nothing "sensational or disloyal at the time in what I said."¹⁴ This was confirmed by other members of the panel. Norman J. McLean, son of J.S. McLean of Canada Packers, had chaired the panel discussion. He informed President Cody that "Professor Underhill said nothing that disturbed me or questioned Canada's loyalty to Britain — In fact, I found myself in more complete accord with him at Couchiching than frequently in the past." McLean blamed the news media for the sensationalism. C.E. Silcox, one of the other panalists, agreed. Cody asked Underhill for a complete account of his Couchiching speech. Underhill complied to this demand with "as exact a reproduction of (his) words as (he could) recall..." In the statement submitted to President Cody, Underhill argued that the Ogdensburg agreement emphasized

... our common geographical position in North America alongside of the United States and the common Canadian-American interests which that produces. Hitherto in military and defence matters Canada has always acted as part of the British Empire and had pursued a single policy along with Britain. In the Ogdensburg agreement she acts as an autonomous North American nation on her own responsibility.¹⁵

The new agreement meant that Canada now had two loyalties, "the old one to the British connection involving our backing up of Britain, and the new one to North America involving common action with the States to protect our geographical security in our North American home." These views, he argued, would have been labelled disloyal a few months ago, but they were not so now "because our government has committed us to it." And the reason for the change in policy, FHU agreed, was the changed situation in Europe. The collapse of France and

a possible invasion of Britain meant that Canada could "no longer put all our eggs in the British basket." The new power alignments boded ill for Britain's position in the world and pointed in the direction of American power. Canadians could obviously not ignore this shift in power and its possible repercussions for them, living next door to this giant.

It is surprising that Underhill's speech caused such furor. First of all Underhill did not indicate anywhere in the speech that he necessarily agreed with the trend of events; he was merely pointing them out. Furthermore he did emphasize that Canada had two loyalties. He was not advocating the abandonment of the British side of Canada's dual character. One wonders, therefore, whether the attack was more on the fact that Underhill gave the speech than on what he was actually saying. His controversial character made him a sure target of attack no matter what he said. If, on the other hand, the attack was on the views FHU was expressing, was it strictly because of what he was saying of was he being used as a scapegoat? As Underhill himself pointed out in his Couchiching speech, the opinions he was expressing were already the official policy of the Mackenzie King government. So how could they be considered subversive, unless of course, Underhill was being used as an indirect means to attack the Mackenzie King government? Underhill believed that he was being used in this way. In a letter to the *Toronto Star*, he claimed that "what really made (the Tory element) mad was not what I said but what Mr. Mackenzie King had done, but they didn't find it prudent to express their dislike of our new relationship with the United States and so worked off their temper on me."¹⁶

The Conspiracy to "get Frank"

C.E. Silcox added a new dimension to the case in a letter he sent to President Cody. His letter referred to "a conspiracy" among the Canadian and American newspapers to "get Frank", but he was unwilling to divulge the names of the papers involved. He pointed out that the supporters of both the isolationist and the interventionist viewpoints were waiting for ammunition such as this case to "shoot down their opponents arguments." He also informed Cody that he had been visited about six weeks or two months before the Y.M.C.A. Conference by the R.C.M.P. to discuss FHU's role in the up-coming conference, and had been revisited again after the conference. Furthermore, Silcox claimed that "*(his) own presence on that panel was not accidental*" (italics his own).¹⁷ He did not elaborate any further.

Meanwhile Sir William Mulock, as Chancellor, wrote to Cody insisting that the matter be investigated immediately by the university. Mr. Balmer Neilly agreed and was already convinced that any man who believed in a dual loyalty at this critical time showed such "poor judgment" that he was not "worthy of a place on the Staff of the Provincial University." The Board met to discuss Underhill on September 12th and heard President Cody read some letters of protest from pro-British groups. He also read Underhill's statement on the incident. After a lengthy discussion, the Chancellor suggested that the President recommend "that after full consideration of Professor Underhill's conduct and utterances for (the) last 13 years", that he be dismissed. The Board unanimously agreed. It was decided, however, to withdraw this recommendation until a further meeting on Monday at which time the President would present another report on Underhill.

At the Monday session, President Cody made the following report to the Board:

In response to your request for a report on Professor Underhill and the statement al-

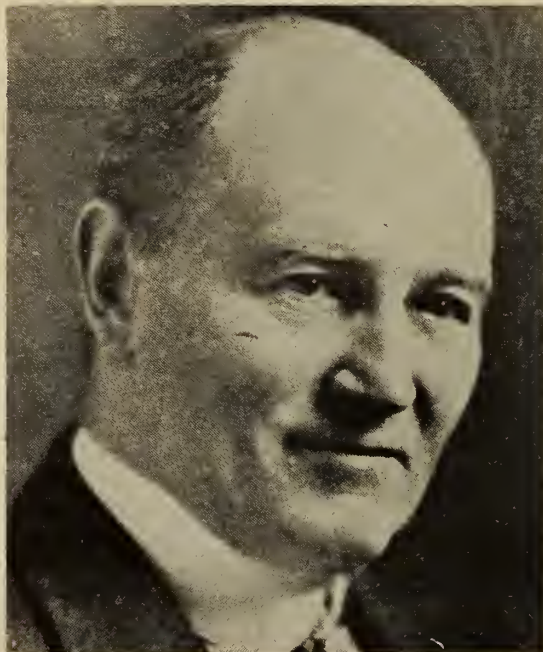
leged to have been made by him at the recent Couchiching Conference, I beg leave to state as follows:

After careful inquiry I find that there is no stenographic report of his speech and of the subsequent discussion, nor is there other satisfactory evidence to support the published account of what he said. I therefore recommend that no action be taken in respect thereof.¹⁸

The motion on the President's request was unanimously adopted. The Chairman of the Board announced this decision to the public, claiming that the Board "had investigated the affair thoroughly and so far as they were concerned the incident was closed."

The complete switch in the Board's decision within four days is astonishing. Part of the explanation can be attributed to the letters of support for Underhill which began flowing into the President's office, including ones from such influential gentlemen as Malcolm Wallace, B.K. Sandwell, and J.B. Brebner of Columbia University. All three letters argued that Underhill's Couchiching speech was not disloyal. Sandwell and Wallace also warned Cody as to the dangers to the co-operative spirit within the university, the nation and Canadian-American relations should Underhill be dismissed at this critical time of war.

Underhill gave another reason for the Board's apparent change of heart. He was convinced that it was chiefly "the strenuous efforts by Jim Macdonnell (President of the National Trust Co.) and J.S. McLean (President of Canada Packers) in interviewing (the) Governors on Sunday" that saved him on this occasion. "They have been magnificent, and this is the second time that they have come to my help,"¹⁹ he wrote.



(U OF T ARCHIVES)

Robert Falconer

A third explanation is that it was not a change in opinion at all. The President's recommendation referred to Underhill's Couchiching speech *only*, leaving aside the larger question of allowing Underhill to continue to teach at Toronto given his conduct and utterances for "the past thirteen years." There is some evidence that this was the reason in a letter sent by Hamilton Cassels, the university's lawyer, in response to an inquiry by the Board into the proper procedure to follow in dismissing Underhill. Cassels claimed that the Board was asking Professor Underhill to leave because it was "undesirable to retain (him) on the staff at the present time of national emergency, feeling that by so doing the interest of the University and perhaps the welfare of the students might suffer."²⁰

Why was the Board so eager to have Under-

hill dismissed at this time? Having allowed him to stay thus far and having admitted to the public that his more recent Couchiching speech was not justification for his dismissal, why was the Board pressing the issue further? Were there pressures on the Board which caused them to view Underhill as a dangerous threat "to the welfare of the students"? Was this pressure from the Government? Was it the result of agitation on the part of the newspapers, notably the *Telegram* or was it simply a feeling on the part of the Board that it was time to end thirteen years of headaches and continual trouble? It appeared to be a combination of all these.

The Attack Continues

The editor of the *Telegram* was not willing to drop the Underhill case just because the Board had announced that the incident was closed. The paper renewed the controversy of April 1939 and continued its attack on Underhill's Couchiching speech, bitterly complaining about the Board's failure "to discipline" him then or now. Underhill himself was fed up with the whole controversy and wished that the *Telegram* would drop the issue. "This whole business has been so unpleasant for the University as well as myself," Underhill wrote, "that I must obviously avoid the public platform for some time, and so I give this undertaking not to make public speeches outside of the University for the next year."²¹

Carleton McNaught, a friend of Underhill's and a member of the League for Social Reconstruction, was convinced that it was the politicians who were behind the *Telegram's* attacks on Underhill. "My fear is that the Tely, in collusion with Drew and perhaps Hepburn, are going to force the matter before the Legislature," he wrote to B.K. Sandwell of *Saturday Night*. McNaught believed that the politicians were also behind the Board.²²

The Board of Governors, meanwhile, met frequently between September and December of 1940 in an attempt to settle the Underhill affair. At the regular meeting of the Board on October 10th, Mr. Neilly moved that "the President be instructed to advise Professor F.H. Underhill that this Board will not continue to pay Professor Underhill a salary equivalent to that which he is now receiving." Neilly justified his motion by pointing out that since 1930 Underhill was stating controversial views to the point where he was getting more publicity than such outstanding scientists as Banting and Best; and "needless to add, this condition has not added to the prestige and good name of our University."

In the discussion that followed Neilly's speech, Chief Justice Rose managed to stave off Underhill's execution by raising points of legality. In the end Rose, along with other Underhill sympathizers on the Board, managed to get Neilly to agree to withdraw his motion, "pending a report from the President."²³

This put Canon Cody in a very difficult position. According to the University Statute of 1906, only the President of the University could recommend appointments and dismissals of professors; the onus was on him. And the Board was clearly split in opinion on the question of dealing with Underhill. Cody, however was probably feeling that it was time that he and the Board took a definite stand against Underhill. Many times in the past, when asked to report on Underhill's conduct, Cody had agreed to let Underhill remain in the hope that this would be the last controversy, especially when Underhill gave what Cody construed to be promises to avoid future controversies. No sooner would one crisis die down, however, when Underhill would be embroiled in another. To Cody it seemed as if Underhill was unappreciative of his efforts, as president, to save him. Carleton

Stanley, then President of Dalhousie University, told Underhill that Cody had "complained wearily of what he had to go through on your account, and thought that if you knew his weariness you would say nothing till the war is over."²⁴ And when would it all end? If Underhill was not stopped now, how far would he go? What further embarrassments would he cause the president and the Board, to say nothing of the University's reputation as a whole?

Cody's report to the Board on December 19th showed a decidedly negative attitude towards Underhill, absent in his previous report. He began by insisting that the point at issue was not academic freedom "in the proper sense of the term...". Even if it was seen as such, however, the blame for curbing that freedom would be Underhill's, Cody contended. Underhill had failed frequently "to realize the responsibility of his privileged and dignified position as a teacher and the loyalty that is due to his institution and his colleagues." The real issue, however, was thirteen years of abusive comments and broken promises on Underhill's part. Often it was not even what he was saying so much as the way he was saying it. His views and the way he expressed them were offensive to respectable people. The University was bearing the brunt of the attacks through public misunderstanding and hostility.²⁵ Thus Cody moved that "without any specific details of the writings or utterances of Professor Frank H. Underhill and viewing his record as a whole, I believe it would be better for the University that Professor Underhill's services be dispensed with and I so recommend." It was decided once again to delay action, however, until the Government had been notified of the Board's decision in order to ascertain its opinion.²⁶ A delegation, consisting of the Chairman of the Board, Leighton McCarthy, A. Howard Ferguson and Balmer Neilly, was to meet at the home of Dr. McArthur, the Minister of Education, on Friday, December 27th at 11 a.m. This clearly indicates governmental involvement in the case. Following this meeting, the Board was to meet on the same day to hear the Government's views.

Government Urges Action

Unfortunately there is no record of the discussion at McArthur's home nor any lengthy report of the delegates' account to the Board. It would appear, however, from the brief notes at the Board meeting that the government wanted Underhill reprimanded and was pressing the Board to take some definite action in this direction immediately. For after the delegates had outlined their meeting with Dr. McArthur, Mr. McCarthy, who on December 19th had favoured the Chancellor's resolution of deferring action, now moved an amendment to the Chancellor's motion which resolved that "Professor F.H. Underhill's services be dispensed with, and that Dr. D.B. Macdonald, the President and Mr. Leighton McCarthy be appointed to take the necessary steps to give effect to this motion not later than the end of this academic year, 30th June, 1941."

The significant changes that the amendment made to the Chancellor's original motion were the definite decision to accept the President's recommendation to dispense with Underhill's service — a decision McCarthy was not prepared to make earlier — and the establishment of a committee to meet with Underhill to insure his resignation. Furthermore there is evidence from the brief minutes of the Board meeting that the government was threatening to take action itself against Underhill, when the legislature met in February, should the Board fail to act immediately. The Chairman warned "what (the Government) may do" when it met in February, while Dr. Gibson suggested that "the

new committee wait on Underhill and report back before Government meets."²⁷

A special meeting was planned for Tuesday, December 31st of those members (the Chairman, the Chancellor and Leighton McCarthy) who were to act as a committee of the Board to meet with Underhill on Thursday, January 2nd, 1941, and began another and more intense public debate on the Underhill case.

Underhill kept a detailed account of this meeting with the representatives of the Board. Sir William Mulock informed Underhill that it was "public opinion as expressed in the newspapers and elsewhere, which made it necessary to force his resignation. Underhill queried why the demand for resignation had arisen at this time, since he had done nothing to upset the Board since September. No satisfactory answer was forthcoming. The three Board delegates recommended that Underhill "go away, think about (the offer to resign), consult his friends and let them know before the Board meeting next Thursday what (his) decision was about resigning."²⁸

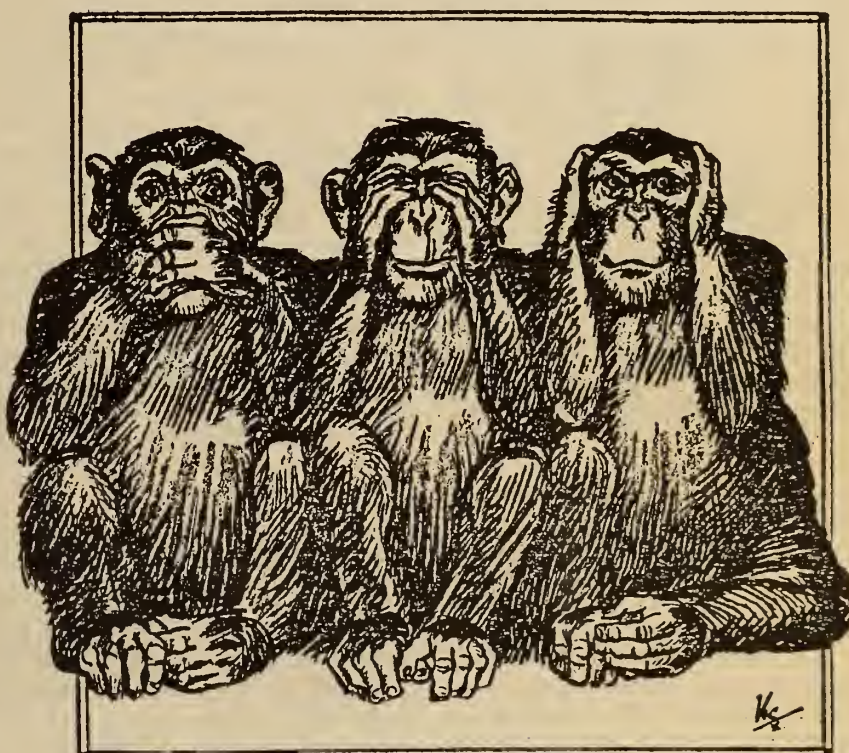
fare of the university. The Board had decided in September that Underhill was a detriment to the university and, therefore, should be dealt with. If universities failed to have a policy to get rid of "unsatisfactory members of staff," the "onus would be on Parliament," a shift in responsibility which Cody feared.³⁰

Canon Cody was "considerably shaken" by the comments of the professorial delegation. Possibly he saw them as a challenge to his position as president. Innis felt this might have been the case and assured Cody, in a letter commenting on the meeting of the previous day, that the faculty's remarks

... were intended to express a feeling, which I am sure you sensed to the full, among all members of the staff of general affection for you. If I may say so, I think you forget at times that you have moved from a position of respect, in the minds of the staff which mailed (sic) your appointment, to a position in which you have not only respect but also complete confidence and affection.³¹

Innis then added a new explanation for Un-

THE GUVNORS



Speak no Underhill . . . See no Underhill . . . Hear no Underhill.

(FROM THE TORONTO TELEGRAM 24/9/40)

Underhill immediately got in touch with Dean Beatty and Harold Innis, both having come to his defence a year earlier, and with Principal Malcolm Wallace of University College and Chester Martin. Dean Beatty agreed to see the President and to let Underhill know "how the land lay there." According to Underhill, Beatty returned from seeing Cody claiming that:

matters seemed pretty hopeless, that the President said that the Couchiching affair had not been closed but only postponed; the most the President would concede was that he would meet a deputation from the staff on Tuesday afternoon. He remarked to Beatty that he didn't think many of the staff would oppose my disappearance, 'only a few from University College.'²⁹

The faculty deputation which met with President Cody on Tuesday, January 7th consisted of twenty of the most influential professors in the university. Most of the delegates were puzzled at the sudden renewal of the controversy and were concerned to know why this had come about. They also warned Cody as to the unsuitable publicity the dismissal of Underhill would bring to the University. In retaliation, President Cody stressed that the issue was neither teaching nor freedom of speech, but rather the wel-

derhill's rebellious character: Underhill's aggressiveness could be attributed to his fighting in the First World War. "It was probably necessary to remember that any returned man who has faced the continued dangers of modern warfare has a point of view fundamentally different from anyone who has not. Again and again have we told each other or repeated to ourselves, nothing can hurt us after this." Innis was probably revealing more about his own reaction to war than about Underhill's or simply arguing out of desperation, but he was convinced enough of his opinion to assure Cody that he would "be glad to run the risk of losing (his) own academic position to save (Underhill). So much for the fraternalism of war." Cody now had to weigh the possibility of losing one of his most distinguished and influential faculty members against his desire to have Underhill out of his way. It was not an easy decision. He had obviously underestimated the importance of faculty opposition to Underhill's dismissal.

On Wednesday, January 8th, Underhill wrote to the Chairman of the Board, to explain his refusal to resign. In the letter, Underhill denied alleged accusations made against him that from hearsay he thought might be the real reasons he was being asked to leave the university. Underhill closed by demanding the right as a citizen

under British law, to "be presented with an exact formulation of the charge or charges on which such action (was) to be based."³²

Meanwhile things were happening on campus. Undergraduates and graduates alike were circulating petitions on Underhill's behalf, while letters were coming into Cody's office "to help the good old man" to such an extent that the President was reported to be surprised at the fervor which had arisen from all across Canada." The student petitions showed the highest respect for Underhill as a teacher.

We regard Professor Underhill as a man of the highest integrity, possessed of a keen sense of duty and dedicated to serve the cause of truth and freedom. At all times in his teaching he has put forward the highest ideals of Democracy. Most especially we affirm that he has not used lecture hours or tutorial sessions to try to inculcate his personal political beliefs among us.³³



(PUBLIC ARCHIVES OF CANADA)
Mitchell Hepburn

While the students were bombarding Cody with petitions, Underhill was applying his own pressure indirectly through Ottawa. He wrote to his close friend, Dr. Hugh L. Keenleyside, a reputable member of the Department of External Affairs and secretary of the Permanent Joint Board on Defence claiming that the pressure on him

really comes from Hepburn who has been seen in vain by both Howard Ferguson and the President. The younger members of the Board are of course Hepburn's gunmen.³⁴

Keenleyside rushed off a telegram to Cody on January 8 warning the President of the serious international repercussions of Underhill's dismissal at this time.

In appealing to you in regard to Underhill case may I suggest that every possible step be taken to postpone action until present international crisis is ended. Proposed action against a man widely known in United States as exponent of idea of continental cooperation might have most serious repercussions in that country where it would dismay and disappoint our friends encourage and strengthen the hands of those who are critical of "British Imperialism" provide ammunition for isolation leaders and all totalitarian groups and do cause of Canada and Empire great harm.³⁵

Was Keenleyside acting strictly out of personal concern for Underhill or also out of a genuine alarm at the possible international dangers of such a move? It would appear to have been a combination of both. He was in constant touch with Underhill about the situation in order to act as effectively as possible on FHU's behalf. On the other hand, the extent and the decisiveness of his action indicates a genuine concern to stop the incident before it damaged international relations. Furthermore Keenleyside was not the only governmental official to write Cody about the situation from the na-

tional perspective.³⁶

For the majority of people involved, however, the Underhill controversy centred on the question of academic freedom, despite attempts by Cody to convince them otherwise. And the chief threat to this freedom it was suspected came from the Ontario government. V.E. Gray, a Toronto barrister, expressed about as clearly as anybody, the nature of the problem of governmental interference in academic affairs that the Underhill case raised. In a letter to President Cody, he wrote:

Shall political power control or censor expression of opinions of University members; or, more precisely, shall Governors, appointed by political power, control University policy in staff appointments and discipline? That such political power controls the University revenues, aggravates, but does not change the issue; the issue is the continuing and unending struggle for academic freedom.

"Behind the Scene"

The provincial government was clearly acting behind the scene. Dr. Duncan McArthur, the Minister of Education, had met with President Cody on Thursday, January 9th;³⁷ the topic of discussion was no doubt Underhill. On the same day, there was a motion in the agenda book for the Board meeting that "Mr. McCarthy, the Acting Prime Minister of Ontario (the Honourable H. Nixon) and Dr. McArthur requested deferring" the case. The government had apparently switched its opinion from two weeks ago, when the delegation had met at Dr. McArthur's home, from taking immediate action to deferring the case. What had caused this change? Underhill believed that "something from Ottawa must have decided Hepburn to change his stand very quickly, since I can't believe that Cody was lying to everybody to whom he has talked during the past few months about pressure from Queen's Park."³⁸ There seems to be some truth in Underhill's speculation, for Keenleyside, in a memorandum to Mackenzie King on the case, was under the impression that Mr. (Chubby) Power had telephoned Mr. Hepburn asking him "to delay any action in regard to Prof. Underhill."³⁹

Premier Hepburn became openly involved in the controversy when on Friday, January 10th, Carleton McNaught published a statement on the Underhill case in the *Toronto Star*. He reported that the Board was trying to get rid of Underhill and "that the real reason was pressure from a political source." Hepburn denied putting pressure on the university authorities to dismiss Underhill and personally assured McNaught "that there was no suggestion made of cutting the grant to the university, or anything like that, made by me." In fact, Hepburn stated:

... when I heard of some such move being taken, I went to the university authorities, as did George McCullagh, and urged them not to persist in the move. Indeed, I would regard it as unwise at the present time and in view of Canadian-American relations, if action were to be taken against him for his views in the connection.⁴⁰

McNaught pressured Hepburn to deny publicly any responsibility in the case. Hepburn hesitated to do so for fear, he claimed, of creating more publicity, but he agreed to consider the need to make an official statement to the press. The next morning the *Globe and Mail* carried a statement by Harry Nixon (acting Minister of Education) expressing the exact sentiments that Mitchell Hepburn used the previous day.

Undemocratic Attitudes

According to Clifford Sifton, who got involved by writing on Hepburn and Cody about

their undemocratic attitudes, Nixon's statement and Hepburn's denial were more of a corroboration that they were involved "in generating the University's action" than they were a denial. Why else, Sifton wondered, would Hepburn be so anxious to "dissassociate (sic) himself" from the whole affair if he had not been involved?⁴¹

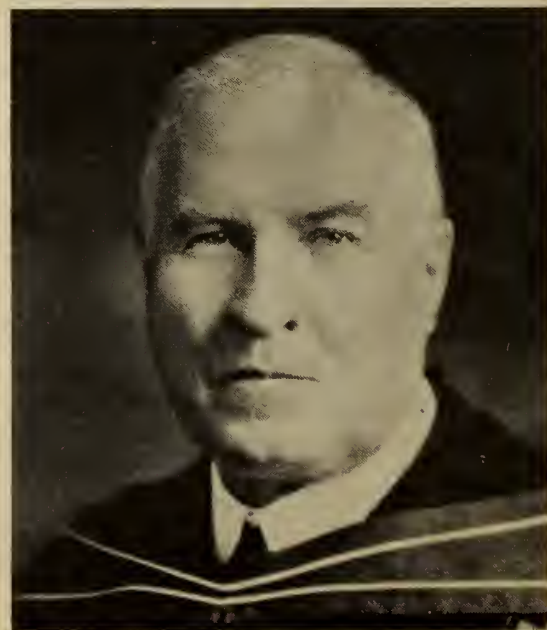
The Underhill case had, meanwhile, left President Cody in an awkward position. Premier Hepburn had denied publicly that the provincial government had anything to do with the whole affair. This made Cody and the Board look like the guilty parties. Furthermore what started out to be a small university problem seemed to have mushroomed into a national — indeed an international — affair. But Cody insisted that the issue of Underhill's proposed dismissal was neither a question of academic freedom, nor of governmental interference nor of international relations but simply of "thirteen years of indiscreet and unwise methods of publicly expressing his views. His case is a case of personality and not of freedom."⁴²

Meanwhile Underhill, not realizing that the case against him was still unsettled, was, by the middle of January of 1941, boldly writing that his job was secure, since his "retention on the staff (seemed) necessary in order that the British Empire may win this war."⁴³ He was confident that he had weathered another storm. The support from staff, students and friends in the past two weeks had been so great that he doubted if anything more would be done. Keenleyside was of the same opinion assuring FHU that "the battle (had) been won, temporarily at least."

This was not the case, however. The Board met on January 23rd to discuss Underhill further. It was decided that the present moment was a dangerous time to pursue the matter but that the case should by no means be closed. It should only be postponed until the end of the academic year in June. At the Board meeting on June 26th Howard Ferguson moved that

in the opinion of this Board, without any reference to specific details of the writings or utterances of Professor Frank H. Underhill and viewing his record as a whole, it is in the best interests of the University that his services be dispensed with.

It is very surprising in a way that such a resolution should have been put forward. Given the infinite amount of trouble the Board had in early January in trying to deal with Underhill and given that Underhill had not acted offensively since then, one would have thought that the Board should have been agreeable to dropping the matter. On the other hand the Board's stand of June 26th was consistent with their view all along, which was to get rid of Under-



(U OF T ARCHIVES)
H.J. Cody

hill. It failed in January; it, or at least some of the members, were ready to try again. Time had not healed the bitterness.

The Chairman then asked the President if he had anything to say before the motion was put before a vote. The President informed the Board that he had been in touch with officers of the Government and Senior members of staff and wished to "withdraw his recommendation made last autumn in regard to Professor Underhill's continuance on staff of this University, and substitute for it a recommendation that no action be now taken to dismiss him." The majority of the Board members opposed this decision.⁴⁴ It would appear, therefore, that there was as much pressure for Underhill's dismissal from the Board of Governors as from the provincial government. For why else would the Board still vote on Underhill's dismissal six months later after an apparent relaxation of governmental pressure?

There the matter rested throughout the summer until the regular Board meeting in September. In this meeting, Mr. Osler argued that the case should have been dealt with in June, and Mr. Neilly wanted to know why the wish of the Board at that time was not carried out. The Chancellor recommended letting "matters rest." The Board agreed.

So ended, finally, the Underhill case. With phenomenal fortitude on his part and that of his friends and associates, with the support of influential members of Canadian society and fighters for academic freedom, and with much luck, Underhill had won out against his enemies in his battle for the right of academics to teach and pursue political activities simultaneously. In one sense it was more of a battle of opposing political pressures than it was of academic freedom with Underhill being able to amass greater political pressure than Hepburn. Yet the incident was an important victory for academic

freedom also. Although it did not result in the formulation of a theory of academic freedom, it did force those individuals who believed in academic freedom to clarify their position and to speak out themselves in support of the cause. In this respect the Underhill case reflected and directed the path of future developments of academic freedom in Canada.

Footnotes...

- 1 Public Archives of Canada (P.A.C.), F.H. Underhill Papers, General Correspondence, Underhill to President Falconer, September 24, 1931; Falconer to Underhill, September 28, 1931.
- 2 Frank H. Underhill, "Beatty and the University Reds," *Canadian Forum*, XV, No. 179, (December, 1935), p. 385.
- 3 Quoted in "Professor Underhill 'educates,'" Editorial, *Globe and Mail*, June 1, 1937, p. 5.
- 4 University of Toronto Archives (U.T.A.) Board of Governors Papers, *Minute Book*, No. 15, (October 28, 1939 to May 11, 1939), p. 264, Re Board Meeting of December 8, 1938.
- 5 Ontario Legislative Assembly *Debate*, April 13, 1939. The quote was in R.A. MacKay and E.B. Rogers, *Canada Looks Abroad*, (Toronto, 1938), p. 269.
- 6 Underhill Papers, General Correspondence, Underhill to George Ferguson, April 21, 1939.
- 7 U.T.A., H.J. Cody Presidential Papers, Underhill to Cody, April 18, 1939.
- 8 Underhill Papers, General Correspondence, Underhill to Ferguson, April 21, 1939.
- 9 Cody Papers, Chester Martin to Cody, April 19, 1939.
- 10 *Ibid.*, The faculty request was sent on April 19, 1939 as was the student petition. H.J. Beveridge was chairman of the student "ad hoc" committee.
- 11 Board of Governors Papers, *Minute Book*, No. 15, p. 360. Re Special Meeting of the Board on April 19, 1939.
- 12 Cody Papers, Balmer Neilly to C.E. Higginbottom, Secretary of the Board of Governors, May 8, 1939.
- 13 The panel consisted of the following members:
Chairman: Norman McLean (Canada Packers)
Panel: Clark Foreman (W.P.A., Washington)
F.H. Underhill (Toronto)
J.F. Green (Foreign Policy Assn., N.Y.)
C.E. Silcox (Toronto)
- 14 Underhill Papers, Special File: Couchiching, Underhill to Cody, September 4, 1940.
- 15 *Ibid.*, Reproduction of Couchiching speech given by Underhill on August 23rd and forwarded to President Cody on September 4, 1940, p. 1.
- 16 Underhill Papers, Special File: Couchiching, Underhill to Editor of the *Toronto Star*, September 11, 1940.
- 17 Cody Papers, C.E. Silcox to Cody, September 15, 1940.
- 18 Board of Governors Papers, *Agenda Book* No. 31, (February 22, 1940 — January 23, 1941), p. 105. Agenda for Board Meeting September 12, 1940.
- 19 Dalhousie University Archives, Carleton Stanley Papers, Underhill to Stanley, September 18, 1940.
- 20 Mrs. Underhill claimed that some businessmen went to each Board member to dissuade them from dismissing Underhill. Personal Interview, August 1972.
- 21 Roger Graham reported that J.S. McLean of Canada Packers sprang to the defence of academic freedom "when Arthur Meighen wrote to Ernest Lapointe condemning Underhill's Ogdensburg speech." R. Graham, *Arthur Meighen*, volume 3: *No Surrender*, p. 124.
- 22 Cody Papers, Copy of a statement by Hamilton Cassels to the Chairman of the Board of Governors, September 16, 1940.
- 23 *Ibid.*, Underhill to Cody, September 24, 1940.
- 24 Underhill Papers, Copy of a letter from Carleton McNaught to B.K. Sandwell, Editor of *Saturday Night*, October 6, 1940.
- 25 Board of Governors Papers, *Agenda Book*, No. 31 Board Meeting of October 10, 1940.
- 26 Carleton Stanley Papers, Stanley to Underhill, September 23, 1940.
- 27 Cody Papers, *Confidential Report of Professor Frank H. Underhill*, no date, p. 1.
- 28 The *Agenda Book* reads to delete the reference to informing the Government of the situation in the official minutes and to mention deferment only.
- 29 *Ibid.*, *Agenda Book*, pp. 168-169.
- 30 Underhill Papers, "Statement by Professor F.H. Underhill as to an Interview between him and a committee of the Board of Governors on January 2, 1941", p. 2.
- 31 Underhill Papers, File: 1941. This is from a Confidential Statement written by F.H. Underhill on the incident entitled "Some Account of Recent Strange Happenings in the University of Toronto," dated January 14, 1941.
- 32 Cody Papers, Cody kept an account in point form of the main ideas expressed by each of the twenty professors plus an account of his own views on the Underhill incident.
- 33 *Ibid.*, H.A. Innis to Cody, January 8, 1941. Cody was very concerned about faculty reaction to his decisions. He had begun his presidency in an unfortunate way. He was an ex-cabinet minister and a former Governor of the Board, so that his appointment to the presidency was suspected as political patronage. Furthermore, President Falconer had publicly expressed his opposition to Cody as his successor, so that there was strong opposition to Cody from faculty members and students who respected Falconer's opinion.
- 34 *Ibid.*, Copy of a letter from Underhill to Dr. D. Bruce Macdonald, Chairman of the Board of Governors, Jan. 8, 1941. These accusations were: that Underhill broke a gentlemen's agreement with the President not to speak in public, by addressing a meeting of the League against War and Fascism; that he had been mixed up in a controversy in December of 1940 over a proposed meeting of the student C.C.F. Club banned by the president of the university because he thought the topic "Hepburn Must Go" indiscreet; and that his Couchiching Speech was a breach of his promise not to give more public speeches.
- 35 *Ibid.*, Petition signed by third and fourth year students in Modern History at the University of Toronto and submitted to President Cody on January 9, 1941.
- 36 Underhill Papers, General Correspondence, Copy of a letter from F.H. Underhill to H.G. Keenleyside, January 6, 1941.
- 37 Cody Papers, Telegram from H.L. Keenleyside to Cody, January 8, 1941.
- 38 Leslie R. Thomson of the Department of Munition and Supplies and O.M. Biggar, the first Canadian chairman of the Permanent Joint Board on Defence also wrote to Cody warning him of a possible international crisis if Underhill were dismissed.
- 39 Cody Papers, Daily Diary of H.J. Cody.
- 40 University of British Columbia Library Manuscript Collection, Alan Plaunt Papers, Box 4; File 26, Underhill to Plaunt, January 12, 1941.
- 41 Underhill Papers, Copy of a memorandum for the Prime Minister from H.L. Keenleyside, January 16, 1941.
- 42 *Ibid.*, Copy of a report by Carleton McNaught of a telephone conversation he had with the Ontario Premier Mitchell Hepburn on January 10, 1941.
- 43 P.A.C., J.W. Dafoe Papers, vol. 12; File: January-June 1941. Letter from Clifford Sifton to J.W. Dafoe, January 22, 1941.
- 44 Cody Papers, Cody to Clifford Sifton, January 13, 1941.
- 45 Underhill Papers, "Some Account..."
- 46 Board of Governors Papers, *Minute Book*, pp. 191-192, June 26, 1941. A recorded vote was requested and taken which showed the following supporting the motion: Honourable Dr. Ferguson, Mr. Morrow, Mr. Burns, Honourable Dr. Bruce, Mr. LaBine, Mr. Osler and Mr. Ross. Those opposing were the Chairman, the Vice-Chairman, the Chancellor and the President.

- Douglas Francis is a historian at York University. His paper was initially presented at the Canadian Historical Association in Edmonton, in June 1975.

THE COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Members Wanted

The Committee on Academic Freedom and Tenure solicits suggestions for nominations for membership on the Committee.

Terms of office for Committee members is three years. The Committee has eleven members, including the Executive Secretary and senior Associate Executive Secretary, and approximately one-third of the Committee is changed each year. Members of the Committee are appointed by the Board on recommendation of the A.F. & T. Committee, who strive for an appropriate balance in terms of geographical representation, discipline, and experience.

The Committee deals with grievances from faculty members at institutions with associations affiliated to C.A.U.T. In addition, the Committee is concerned with the promulgation of policy statements and guidelines on tenure, on academic freedom, on proper procedures for determining terms and conditions of employment, and so on.

Suggestions for nominations to the A.F. & T. Committee should be sent to the Executive Secretary no later than January 15, 1976 together with a brief biographical statement on the candidate's academic background and experience in faculty association activities.

COMITÉ DE LA LIBERTÉ UNIVERSITAIRE ET DE LA PERMANENCE DE L'EMPLOI

Membres sollicités

Le Comité de la liberté universitaire et de la permanence de l'emploi sollicite des propositions de candidats qui pourraient faire partie du Comité.

Le mandat est de trois ans. Le Comité se compose de onze membres, y compris le secrétaire général et le secrétaire général adjoint senior, le tiers environ étant remplacés annuellement. Les membres sont nommés par le Bureau de direction sur la recommandation du Comité de la liberté universitaire et de la permanence de l'emploi. On s'efforce de conserver un équilibre approprié au point de vue de la représentation géographique, des disciplines et de l'expérience.

Le Comité connaît des griefs relatifs aux professeurs dans les institutions qui ont des associations affiliées à l'A.C.P.U. Il a aussi pour tâche d'élaborer des énoncés de principes et des directives touchant la permanence de l'emploi, la liberté universitaire, les modalités appropriées pour l'établissement des conditions d'emploi, etc.

Les propositions doivent parvenir au secrétaire général au plus tard le 15 janvier 1976 et être accompagnées d'une brève notice biographique touchant l'expérience du candidat dans la carrière universitaire et les associations de professeurs d'université.

The CAUT, the Crowe Case, and the Development of the Idea of Academic Freedom in Canada

by Donald C. Savage and Christopher Holmes

Although the administrative side of Canadian universities formed a national organization as early as 1911, university teachers did not do so until 1951. Prior to the Second World War faculty on a number of campuses formed local associations which seem to have been part club and part a rather mild pressure group. The small number of faculty and the fragmentation (geographic, linguistic and ecclesiastic) of Canadian universities along with the controls and shortages of staff during the Second World War inhibited any effective grouping of these associations. In 1948 the faculty association at Alberta suggested the formation of a national body. Two years later a preliminary meeting was held in Kingston, and the following year the CAUT came into existence at a meeting at McGill.

The primary impetus for this move was economic. The suggestions from the Alberta association grew out of their interest in national salary data. University professors found the economic situation in the immediate postwar period very difficult. Those with jobs in the nineteen-thirties had found that they could manage reasonably well on a relatively low salary. The postwar inflation quickly eroded that economic position. The real salaries of professors fell.¹ Furthermore, the influx of returning soldiers both increased the size of the universities and brought into the academic profession many who would not accept the old pieties and paternalism.

For eight years the CAUT managed without any permanent structure or officials. Dues were kept to a few dollars. Attempts were made to ensure that the executive came from the same area in order to minimize costs. The entire administration fell onto the elected officers. Real power remained with the local associations and, as a consequence, CAUT unlike the AAUP became a federation of locals rather than an organization with individual memberships. The main focus in these eight years remained economic. This took two forms — the gathering and distribution of salary data and the support of the general university campaign to secure federal financing of higher education. There was a feeling in CAUT that without reasonable economic security, it was not very useful to pursue other matters.

Professor A. R. M. Lower had raised the issue of academic freedom at the first annual meeting of CAUT and urged the association to ensure that "one of the basic activities of the Association... be to keep constantly in view the issue of academic freedom".² But only one individual appeal is recorded in the minutes prior to the United College affair. Nor did the association have any procedures for dealing with such matters. As a consequence, some professors looked to the United States where the AAUP had been founded in 1915 and had developed policy statements regarding the handling of faculty contracts. UBC suggested that CAUT endorse the well-known 1940 *Statement of Principles on Academic Freedom* of the AAUP while others wished the CAUT to join the AAUP.

In June 1958, just as the storm was beginning to gather at United College, the CAUT met in Edmonton and discussed the issue of academic

Le renvoi de Harry Crowe de son emploi permanent au United College en 1958 a été la première occasion pour l'ACPU de procéder à l'examen d'un grief présenté par l'un de ses membres. À l'occasion de cette affaire, de nombreux universitaires canadiens ont dû se pencher sur les notions de liberté universitaire et de permanence de l'emploi ainsi que sur celle de la gouvernance des universités de façon beaucoup plus approfondie qu'ils ne l'avaient jamais fait auparavant. Elle a également amené l'ACPU à rédiger des énoncés de principe sur la question de la liberté universitaire et de sa protection.

freedom at length. The minutes record that there was general agreement that the CAUT should proceed with caution. This was demonstrated by the defeat of a motion by Professors D. G. Pitt (Memorial) and W. A. Packer (United College) that a standing committee be created immediately "... to keep a watching brief with regard to policies of tenure and academic freedom in Canadian universities and to keep a record of cases which might warrant discussion by the executive council of the CAUT". Instead, the executive decided to create a committee to consider the role CAUT should play in protecting individuals in matters of academic freedom and tenure although it did accept an amendment to state that these were indeed the concern of the organization.³ Professor Gordon Turner of the University of Western Ontario was appointed to undertake the task.

A Known Radical

The case of Harry S. Crowe at United College presented the CAUT with the direct and immediate problem of how to resolve disputes concerning academic freedom and tenure. He was an associate professor of history at the college who had been a first class honours student at the college where he had enrolled in 1938. He had also been president of the student society and was known as a radical. He graduated in 1942 and became an officer cadet in the Winnipeg Light Infantry. He was posted overseas and served on loan with the Fourth Battalion of the Welsh Regiment between 1944 and 1946. At the time of his discharge he held the rank of captain and the Military Cross which he received for gallantry at the crossing of the Aller River.

Crowe returned to the University of Manitoba and took an honours degree in 1947. The following year he took his M.A. at Toronto and then with strong support from Frank Underhill, went to Columbia to study for the Ph.D. While at Columbia, he taught a number of summer sessions at the University of Manitoba and then for one year at the university before taking a contract at United College in 1950. He received tenure the following year and became an associate professor in 1956. He was a popular lecturer and was well regarded by his colleagues in the history department even though he could on occasion be somewhat

abrasive. He also made no secret of his social democratic views. For the year 1957-58 he was visiting professor in the department of history at Queen's University.

A certain amount of mythology has invested the history of United College and its predecessor Wesley College. It had been influenced by the rise of the social gospel movement and by the Winnipeg General Strike and its aftermath. Two of the leading figures of the social gospel movement, Salem Bland and A. J. Irwin, were members of the faculty at Wesley College. In 1907, Sir Rodmond Roblin and Sir James Aiken had tried unsuccessfully to get Bland dismissed. Around the beginning of the First World War, the chairman of the board had asked Bland to tone down his pronouncements, and in 1917 both men were fired on the grounds of financial exigency — a decision which produced acrimonious debate throughout the West.⁴ Inevitably the college was also influenced by the General Strike and by the rise of left-wing movements in Winnipeg. J. S. Woodsworth, the founder of the CCF, and Stanley Knowles were both graduates, and a number of individual faculty and students sympathized with these developments.

But it would be a mistake to see United College as a centre of either socialism or Prairie populism. The leading figures in the nineteen-thirties were A. R. M. Lower, Jack Pickersgill and Donald Masters who were hardly socialists or populists. Undoubtedly social democratic views increased after the Second World War. Tension between faculty and the board of regents was not, however, party political. It grew out of the liberalism and professionalism of the faculty in the thirties and forties which challenged both the doctrines of the United Church and even more importantly the absolute rights of the board as an employer. That absolute power was even more offensive when it was wielded by those who were clearly anti-intellectual. "... there was always a feeling hovering about", wrote Lower, "that the official College, with so many business men on its board, were out of sympathy with the genius of the place."⁵ By the nineteen-fifties only a mild paternalism could hold the traditional structure together without major conflict.

The Crowe case began in 1958 although there were hints of the trouble to come before that. In 1955, Rev. Wilfrid C. Lockhart had become the new principal and Alan H. Watson, a Winnipeg businessman without experience of the university world, the new chairman of the board. The faculty hoped that Dr. Lockhart would provide leadership, and they generally welcomed the new appointment. Lockhart held an M.A. from Toronto, a Ph.D. from Edinburgh and a D.D. from Victoria University (Toronto). He had been SCM secretary at Hart House and minister for a number of years at Kingsway-Lambton United Church in Toronto. He had also been chairman of the Board of Colleges and Secondary Schools of the United Church.

But not everyone welcomed the new arrival. A letter from J. H. Stewart Reid, the chairman of the history department, to Frank Underhill in May 1955 indicates that he was unhappy with the appointment but even more so with the

general conditions in the college and was trying to find another post.⁶ Reid wished to see the college transformed professionally and to be run by academics not by clergymen. It did not take very long for conflict to develop.

The central factor was the creation of a faculty association at the college in affiliation with CAUT. This was regarded by Watson as an affront to the board of regents, particularly when the association began to present the demands of the faculty. Reid, Crowe and Kenneth McNaught all played an important part in this development. Watson and Lockhart had hoped to create a new era at the college by running it on sound business lines. The new regime increased salaries somewhat and improved certain fringe benefits. Teachers were to be rated on a point system calculated by multiplying the number of courses by the number of students. Flood lights were installed to light the building which had all the ivy scrapped off. *Saturday Night* reported that this was done, according to one Board member, on the theory that "If you have a good product to sell, you should package it properly." Inside the college the walls were covered with thousands of square yards of plywood in pleasant modern colours, and the pictures and emblems of the past removed. In 1957, Crowe and others formed a delegation to the board of regents to protest that the federal grant which had been specifically created to improve the salaries of university professors was being diverted at United College into the cosmetic flourishes of the administration.⁷

The Storm Breaks

The storm broke the following year. On 16 April 1958, Principal Lockhart called Professor W. A. Packer of the department of German and secretary of the faculty association into his office and showed him a letter from Professor Crowe to Packer in which Crowe discussed the forthcoming federal election with some prescience, attacked the attempts of the board of governors to force the faculty to contribute to the college building fund and made some passing but acid comments on the involvement of the ministers in public administration.⁸ The principal told Packer that the letter had been turned over by a student and that it indicated that there was a conspiracy on the part of the faculty at the college against the administration. Packer replied that he had never received the letter and denied that there was any such conspiracy.⁹ The following day the principal modified his remarks to Packer stating that Crowe's letter had been enclosed in an anonymous letter mailed to him with the statement — "Found in College Hall. We think you should read it. Some staff loyalty?" Thus began the train of events which would erupt into public controversy in the next academic year.¹⁰

Between April and the beginning of September the college began to divide into factions. On May 7 there was a meeting of the general faculty council chaired by the principal who discussed the Crowe letter at length denying that he had acted in any improper way even though he had photo-stated the letter. The principal indicated that he planned to put the letter before the board of regents the next day. In a heated interview with Professor McNaught, a member of the history department and chairman of the faculty association, the principal stated that he might not have done what he did if he had only been a private citizen but that he

represented the Church and the board and had to do what he was doing in order to defend them. He also considered that the letter was merely part of a pattern of behaviour on the part of Professor Crowe. Ultimately, however, the principal decided not to put the letter officially before the board but the board nevertheless discussed the issue that night.¹¹ This episode marked a shift in the principal's actions. From then on he repeatedly stated that he did not wish to fire Crowe and had not recommended that anyone do so. The control of the case on the administration side passed into the hands of the chairman of the board, Alan H. Watson.

Crowe is Fired

Between May and September there was a series of private discussions involving the colleagues and friends of Professor Crowe, the details of which can be found in the CAUT report. The board fired Crowe for the first time on July 2. At no time was Crowe heard or given reasons for this decision. Professor Stewart Reid appeared at this meeting and was asked about the reasonableness or otherwise of dismissal for criticism, for possible lack of sympathy with the aims of the institution or for incompatibility. However, since the board had indicated that Crowe could come back for a year on a term contract, there followed another round of discussions to determine whether a tenured contract had been replaced by an annual one. During these the chairman of the board attempted to penalize Crowe financially and to pay him less than the minimum for his rank. Watson wrote on July 21: "In the normal course, the following factors govern salary increments: (a) teaching proficiency, (b) loyalty to the institution, (c) measure of cooperation extended in attaining the objectives of the College."¹²

By the beginning of September Professor Crowe was back at United College, and it appeared as though there was a prospect that the issues involved might be satisfactorily settled. Then on September 15 the board summarily dismissed Crowe in a letter without reasons and without a hearing.

The matter then became a public issue. The chairman of the board had already on the 26th of August written a letter to all members of the faculty stating the board's position:

"What the Board has had under consideration has been Professor Crowe's expressed attitudes to the College, the Board and the Principal as reflected in his communications to the Principal and the Board and his actions pertaining thereto. He has attempted to intimidate the Principal and the Board by threats of legal and other action and by public denouncement. He has imputed improper and false motives to the Principal and has made accusations against him of distortion, and grotesqueness, deliberately misrepresenting the facts to accomplish this end. The intemperate tone of his communications... reflects an aggressive belligerency that appears to make any long term relationship between himself and the College impossible."¹³

After firing Crowe, the board released a statement to the *Winnipeg Free Press* which was printed on September 20. The board stated that its "... opinion of the letter is that the attitude toward religion revealed by it is incompatible with the traditions and objectives of United



Harry S. Crowe

College, and that, in the manner in which he has named in the letter six faculty members, two of whom are deceased and of hallowed memory, Professor Crowe overstepped the limits of decency."¹⁴ It then went on to quote an AAUP statement requiring professors to act responsibly in public statements as a matter of professional ethics. The board also stated that it had fired Crowe because it had received and read for the first time the contents of the letter Crowe had addressed to Packer.

At the same time, the General Council of the United Church set up a committee to investigate. It heard two members of the board but not Crowe or anyone else from United College and concluded that the church should exonerate the principal and the board and declare confidence in both. The General Council accepted the report.¹⁵

"Rotten Apples"

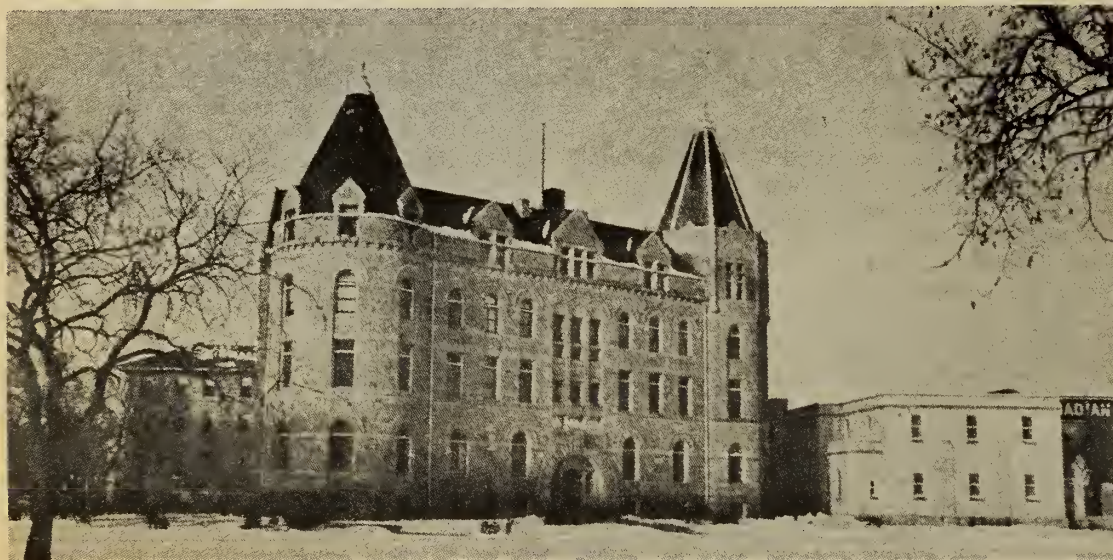
The columns of the newspapers then began to fill with letters pro and con. A few examples will indicate the bitterness engendered by the case. Rev. D. A. MacLean, the minister of Gordon United Church wrote that Principal Lockhart and the board of regents were responsible for "an unbroken series of blunders that is quite incredible", that their position was untenable, and that the principal should resign. Other letters supported Lockhart demanding that Crowe publish the letter¹⁶ or that "rotten apples" should be tossed out of the college.¹⁷ The editors were somewhat more cautious. The *Free Press* refrained from comment. The *Tribune*, however, called on Crowe to resign:

"Professor Crowe should realize that the point he wished to make to the public has been made. The board should realize that its side has been given a public hearing.

"Further pursuit of this course could only be corrosive. Surely Professor Crowe knows that it would be difficult for him to carry on his teaching career at United College in a happy and useful way. Surely the board will see the wisdom of affording Professor Crowe full opportunity to withdraw from an unhappy situation with dignity."¹⁸

Some months later Crowe spoke to the Winnipeg Press Club praising the work of the Winnipeg reporters but attacking editorial policy as "feckless, meaningless and impotent".¹⁹

Meanwhile, the CAUT had decided to send an ad hoc committee of enquiry to Winnipeg composed of Professor Vernon Fowke of the University of Saskatchewan and Professor Bora Laskin of the University of Toronto. That year the President of the CAUT was Clarence Barber of the University of Manitoba. Barber favoured taking action but preferred a committee of enquiry because he felt that his own position in Manitoba made it difficult for him to seem to act impartially. The committee was entirely separate from Professor Turner's investigation into the general question of academic freedom and tenure in Canada although it would profoundly influence the results.



United College (Now University of Winnipeg)

The committee of enquiry was a fact-finding committee designed to report to the CAUT so that it could decide what action to take on the Crowe case. It was neither a court nor an arbitration. "What it did do", as the editor of the *CAUT Bulletin* wrote, "when the facts were ascertained, was to evaluate them to determine to what extent issues of academic freedom and tenure were involved, and, in the light of the findings, to make recommendations for action". The use of a fact-finding committee and the publication of its report had long been the practice of the American Association of University Professors which undoubtedly provided the precedent for the Fowke-Laskin Report. The Faculty Association met on September 15 and agreed to support any properly constituted investigating committee.

Procedural Difficulties

The CAUT committee arrived in Winnipeg in early October and immediately ran into difficulties with the principal and the board of regents. Even though the chairman of the board had publicly indicated that he would cooperate with the enquiry, it became obvious that the college was not anxious to do so. The board raised a series of procedural difficulties by demanding such matters as the constitutions and by-laws of the CAUT, the United College Faculty Association and the Queen's Association which had raised the case in the first place, the names and addresses of all officers, the financial statement of the CAUT, etc. More seriously, the board pointed to the legal power in the United College Act whereby it had the power to appoint faculty, set salaries, define duties and that all such duties were at the pleasure of the board, thus indicating a very restrictive view of tenure. The Fowke-Laskin Report noted that the university solicitor "found it difficult to appreciate that there was any difference between security of tenure in the

sense in which it is understood in an academic community and tenure as it is covered by the enactment which he quoted." Finally, the board demanded that the committee act as an arbitration with members appointed by the College.

When the demand for a reconstitution as a five-man arbitration was refused, the board of regents withdrew from the hearing. This reflected what was to become a fairly standard response of university administrations to CAUT enquiries, namely to question the fairness of the CAUT committees on the grounds that they were not formal arbitrations although the administrations in question had rarely thought fit to consider fair hearings or arbitrations until the CAUT committees appeared on the spot.²⁰ The Fowke-Laskin Committee remarked in its report that it was, of course, possible to resolve disputes through other me-

chanisms than a CAUT enquiry but that they were not prepared to take seriously the suggestions of the College which had had three months to consider their response and only made these suggestions when a CAUT committee was on the spot. Nor were they prepared to accept the trade union model suggested by the university solicitor:

"Throughout the discussions on credentials and procedure... and the discussion leading to the withdrawal of the board of regents and of Principal Lockhart (through his counsel)... it was quite clear that Mr. McGavin (the university solicitor) was determined to treat the investigation as if it arose out of a labour relations dispute between an employer and a trade union. The concept of a University as a community of scholars, as an integrated body of civilized men and women (composed of administrative heads, teaching faculty and students) dedicated to pursuit of knowledge and development of wisdom, was completely absent from his presentation. He was less than subtle in trying to cast the members of the Committee in the role of trade union nominees to a Board of Conciliation; and even if there was nothing else to illuminate his attitude, his request for affidavits of impartiality carries its own condemnation. The Committee cannot believe that Mr. McGavin's philosophy of a University is that of the board of regents. The degradation involved is the very antithesis of higher education."²¹

Finally, they stated that they were prepared to ensure the fair presentation of all evidence that anyone wished to present so that the committee could make its report having heard the representations of all parties. Professors Fowke and Laskin considered the withdrawal of the board of regents and of the principal "a gross breach of faith".

Fowke and Laskin continued their investigation and reported to CAUT which published

the report in the latter part of November and printed it in full in the *CAUT Bulletin*.²² Fowke and Laskin concluded that the actions of United College constituted "an unjust and unwarranted invasion of the security of academic tenure". They considered that neither the principal nor the board had "any tenable ground for the severe treatment of Professor Crowe" and that one of the reasons for the action clearly revealed by the documents was that he "was not sufficiently complaisant, not servile enough in thought and attitude to his administrative superiors". They found that Crowe "refused to countenance abjectly a sustained invasion of his privacy and the possibility of adverse use of a private letter the content of which he declared was taken out of context and misinterpreted. The Committee holds that Canadian scholars are not commonly or properly held in such low esteem that they must abstain from protest in such circumstances. The Committee find... that Professor Crowe's protests were neither intemperate nor aggressively belligerent nor vigorous beyond the point of reasonable firmness. In themselves, they warranted neither dismissal nor discipline short of dismissal."

Salaries Dependent on Grace

Fowke and Laskin commented on the disquieting revelation that salaries depended on grace and that they could be less than the published minima. They recorded the deep division among the faculty at United College and the bitterness which the case had produced. In particular, they noted the attempts of some of the senior faculty to secure motions of loyalty to Principal Lockhart and the alleged victimization of the Registrar, Miss Peggy J. Morrison, who had supported Crowe.²³ The Committee analyzed the board's press release of September 20 and indicated that the AAUP statement quoted therein was meant to apply to public statements, not private letters and that the statement continued on to say that the professor "should be free from institutional censorship or discipline".

The Committee also concluded that the Principal must bear a direct responsibility for inaugurating and escalating the crises even though he attempted to abdicate responsibility to the board. They considered his actions as deliberately persisting "in the invasion of personal privacy... an encroachment on one of the most elementary rights of a citizen, academic or otherwise, in any society in which freedom is anything but an empty word."

Finally, the Committee took aim at what it considered the central fact of the case, namely that Professor Crowe had been fired without reasons and without a fair hearing. "The facts which are of the greatest concern", wrote Fowke and Laskin, "... are, first, that the board of regents took a decision of crucial importance for the future of Professor Crowe ... on what can without exaggeration be characterized as less than a shred of evidence; and, second, that they failed to confront Professor Crowe with any charge and gave him no opportunity to speak to any charge." The board did not suggest that there was any evidence, the Committee wrote, other than the letter of March 14 concerning Professor Crowe's attitudes to religion and his colleagues. The Committee observed "that the administration of United College, judged by its conduct, seems to hold the view that religious belief is so fragile that it may be shattered by a breath of criticism."

The publication of the report immediately made the Crowe affair a matter of national interest, particularly in the university world and in the media. In an editorial the *Free Press* reproached the CAUT for the one-side-

ness of its report. But it went on to say that "the missing evidence does not bear on the report's basic criticism, which is the manner in which Professor Crowe was dismissed. That ought not to have been done without a personal hearing...." The editor then suggested that there would be no insurmountable barrier to the restoration of Professor Crowe to his job.²⁴

The board of regents attacked the report as biased. Principal Lockhart issued a statement on academic freedom stating that such freedom was necessary in research but that it should not be interpreted "to mean an immunity to cover irresponsible action or expression...." He considered that there was an obligation on academics to exercise appropriate restraint, to be fair and accurate and to show respect and consideration for the opinions of others. Professors could not claim immunity "... for the promotion of ideas and schemes that would subvert the very authority that exists to ensure that the true academic freedom they require." Furthermore, professors had to recognize a modification of academic freedom in a church college in the area of religion. "While the teacher will exercise full privileges to bring under comment and criticism all matters of faith and doctrine", Lockhart wrote, "if he, nonetheless, finds himself out of sympathy with the basic tenets of religion, he should in all honesty refrain from attacks upon religion as such or the religious views of his colleagues." Furthermore, the Principal stated that if he could not share the aims of the institution, he should "find opportunity in an environment that is more congenial to his own convictions."²⁵

An Unhappy Place to Work

Canadian academics, particularly historians, reacted vigorously. Professor A.R. M. Lower, who had been on the staff of United College from 1929 to 1947, wrote from Queen's that, although he maintained a great interest in the College, he could only report that it had never been a very happy place to work. He maintained that poverty had exacerbated the division in the College. "Every honest difference of opinion", he wrote, "has tended to be regarded as treason". The saving grace of the College was the faculty and the "dynamic and forward-looking student body", but that this was vitiated by an arbitrary board and administration.²⁶

Lower pointed out that tenure was unconditionally at the pleasure of the board. "What self-respecting man", he wrote, "will stay in an institution whose government is a despotism? It may be argued that it is a benevolent despotism. Events, however, hardly bear out that argument...." He was willing to consider that the principal was foolish rather than wicked but "it does not seem to me that on either score his qualifications as head rank particularly high". He called for his removal and for the United Church to take a principled stand to reform matters at the College.²⁷ The history departments at Toronto, Manitoba and Queen's gave strong support to Crowe as did the Faculty Association Executive at the University of Manitoba.²⁸ Professor Clifford J. Robson, chairman of the department of Psychology defended the principal and the board of regents stating that with the formation of the faculty association at United College, it was clear that a small group of professors were attempting a power play within the institution. He invited those who did not share the views of United College to leave for secular institutions. He pointed out that the principal had increased salaries every year since his appointment and inaugurated a group insurance plan and improved

pension arrangements, all of which demonstrated the concern of the administration for the faculty.²⁹

Resignations

Towards the end of November three members of the faculty, Professor J.H. Stewart Reid, Kenneth McNaught, and R.M. Stingle indicated that they intended to resign as a consequence of the college's handling of the Crowe case and its reaction to the CAUT report. They took this action even though none of them had other job offers. These letters were printed in part in the *Free Press* on November 27. The three professors also indicated that they considered the appointment of Professor Gordon Blake as dean of arts and science to be provocative and indicative of the refusal of the board to change its mind since Dean Blake was one of the strongest and most vocal opponents of Crowe on the campus. McNaught stated that he would not return if Blake remained as dean. The board replied that Crowe could not be reinstated because it would make the positions of Dean Blake and of the principal untenable.³⁰ Eleven more faculty resigned between December 5 and 10. (See table of faculty resignations.)

In the first week of December, the Reverend Stanley McLeod, President of the Manitoba Conference of the United Church, attempted to mediate but Crowe refused the proposal since the suggested statement, although it admitted that the board had erred in firing Crowe without a hearing and had misinterpreted his religious views, required Crowe to repudiate the CAUT enquiry and to apologize to the principal. Meanwhile, Dr. Lockhart had offered his resignation to the board and published a statement in defence of himself, thus stopping any further attempt at mediation by church leaders.³¹ Two days later, twenty-five members of the staff called for a judicial enquiry as did the *Free Press* and the *Tribune*; the students marched on the legislature to support Professor Crowe. At that point the Honourable Gordon Churchill, who was a member of the board, intervened and succeeded in getting a settlement by which Professor Crowe was unconditionally reinstated.³² For a moment it seemed as though the Crowe case was settled, and the United Church issued a judicious statement reaffirming academic freedom at United College, affirming confidence in the Principal while recognizing that he made an error in photostating the letter, stating that Professor Crowe was justified in protesting and welcoming his reinstatement. It was signal victory for the CAUT.

Peace Shortlived

The peace treaty, however, was short lived. The Principal accorded a lengthy interview to the *Toronto Telegram* which was published on December 19 and another to the *Globe and Mail* which appeared on January 5. The Principal stated, among other matters, that the police were convinced that Professor Packer had lost the famous letter. The Chief of the Winnipeg police denied this. Crowe and Packer also replied. There was also a lengthy and acrimonious exchange in the *Free Press* between Senator T.A. Crerar who attacked Crowe and supported Lockhart and Professors Richard Glover and T.J. Oleson who defended him.

The real problem, however, centred around the resignation of Reid, McNaught and Stingle. The Board did not accept the other resignations which had been made in December. Professor Crowe considered that the Board had made a commitment during the Church settlement that they would reinstate the three whose resignations had been accepted. W.J. Waines,

the dean of arts and science at Manitoba, and W.L. Morton, the head of the history department, testified that Crowe had consulted them and that they urged him to trust the good faith of the Board rather than to insist on a written guarantee. The abortive McKeod proposals had also included such a commitment. It would appear, however, that only Watson and perhaps one or two other members of the Board actually made the commitment to Churchill, who was unable to persuade the Board to honour the promise. Principal Lockhart wrote to the three professors towards the end of January confirming their resignations. Private negotiations failed to settle the situation. Meanwhile, the college was placing advertisements for faculty posts in British publications, and the CAUT was placing counter-ads.³⁴ At the beginning of March a "Carry on Dr. Lockhart Drive" was started in which postcards were sent to members of the United Church asking for support. Ultimately, he was presented with a petition in April with 7,000 signatures asking him to remain at his post.³⁵



Ken McNaught

Crowe resigned on March 22, protesting the failure of the college to re-hire his colleagues. Eleven other faculty also resigned.³⁶ He declined several offers of academic posts and took a research post with the Railway Brotherhood. There then followed another public battle in the press with twenty-seven members of the staff alleging that Crowe had accepted the settlement knowing that his colleagues would not be reinstated and with denials from Crowe, Dean Waines and H.L. Morton along with the publication of Crowe's letter of resignation.³⁷

The focus then moved to the CAUT Council which was to meet in Saskatoon in June. Both sides re-fought the original Crowe case. An anonymous group of faculty circulated a three-part attack on Crowe, the Fowke-Laskin report, and the CAUT. This was answered by McNaught, Crowe, Packer and Stingle in one circular letter and by a larger group. The letters in the CAUT file indicate the interest of faculty in all parts of the country, the divisions between them, and the determined effort of those remaining at United College to reverse the CAUT position.^{37A}

The previous November the CAUT Executive had received and adopted the Fowke-Laskin report. Not all members had favoured this course of action but the support of the Toronto executive proved decisive.³⁸ The report was then published in full in the January issue of the *CAUT Bulletin*. There then followed the placing of advertisements in the *Times Literary Supplement* which had been criticized in some quarters, particularly at the University of Toronto. Other voices, however, were heard in favour of more militant action, notably the censure of United College. Barber himself wrote in favour of this possibility in February. The idea of censure or some form of blacklisting had

been used for some time by the AAUP. But there was, of course, no precedent in Canada.³⁹

In anticipation of the June meeting and at the suggestion of Keith Callard at McGill, the President of CAUT struck a committee headed by Frank Scott to review the situation which concluded that the failure to re-hire the three professors was a breach of faith but did not recommend censure. The Saskatoon meeting adopted the report and thereby affirmed its support of the Fowke-Laskin report, commended the executive for the actions it had taken, and authorized the publication of a further account of the affair since the Fowke-Laskin report. The press gave considerable space to the remarks of Frank Underhill who stated that he had once thought Winnipeg "a city of the world" when it was led by John Daffoe but that the Crowe case indicated "... that it was not that kind of city at all." Rather it had "... sunk to the intellectual and moral level of Toronto" where togetherness, harmony and Rotarian virtues had replaced intellectual values.⁴⁰

The issue of censure did not come before the meeting. The majority considered that the publication of the report along with the subsequent publicity accomplished the same end as a formal censure. Some confirmation of this can be found in the request of the University of Winnipeg Faculty Association (formerly United College) to the CAUT in 1970 to lift the censure of the College and to modify the references to United College in its rhetoric.

The United College affair indicated that the CAUT would have to take certain steps if it were to have an effective voice in the area of academic freedom. The first problem was a national office and staff. The CAUT first considered this matter in 1955 on a motion by Professor Clare Pentland of Manitoba. Most of the development work was undertaken by Professor H.W. McCready (McMaster) both during and after his presidency. There was general agreement that an office should open at the latest in 1959 but some disagreement as to the type of staffing. McCready favoured a permanent general secretary who would be a senior academic on the level of a deputy minister while the McGill association and others wanted secretarial help to assist the executive. McGill believed that it would lose one-third of its membership if the former plan prevailed. The events at United College, however, made it clear that the executive could not handle future academic freedom cases on a part-time basis. Hence the decision definitely to establish the office in 1959 and to appoint a senior academic full-time. J.H. Stewart Reid was chosen by open competition as the first executive secretary.

AF&T Procedures Developed

The second important step was to develop procedures in relation to the defence of academic freedom and tenure. Clearly tenure at United College meant nothing since everyone was serving at the pleasure of the board and could be dismissed without reasons or a hearing, much less an arbitration. Professor Turner's committee surveyed the practice in Canadian universities and found the great majority with few or any safeguards for the faculty members. The need for a Canadian code of practice was obvious.

Both the Executive and Professor Turner were much influenced by the policies and practices of the AAUP. Clarence Barber as president had visited the Washington office of the AAUP for discussion of these and other matters. For many years the AAUP had been committed to a due process approach to the handling of disputes involving academic freedom and tenure. It had produced a statement in 1915 with the intention of creating norms or standards of procedure in such circumstances. Professor Turner relied upon the 1940 revision, the 1957 statements on procedures and institutional regulations, and the 1958 statement on dismissal. Turner produced a report in May 1959

which dealt with the main issues and which recommended four policy documents. This report was debated by the CAUT Council in June and November, and a statement based on it was ratified in 1960.⁴¹

Turner's committee unequivocally recommended that CAUT attempt to secure reasonable procedures and to investigate the cases of individuals. There was, of course, in existence another body which represented the corporate interests of Canadian universities, the National Conference of Canadian Colleges and Universities (NCCU, later the AUCC). Because of the Crowe case the NCCU had struck a committee on academic freedom. It produced a brief statement recommending adjudication of disputes by a three-person committee, one nominated by the CAUT or the local faculty association, one by the administration and the chairman by the NCCU. Although one local association favoured a trial of such proposals, no one else did and the committee recommended against it. It was firmly of the view that CAUT was a professional organization which should undertake its own enquiries although it should attempt to cooperate with the NCCU.⁴²



J.H. Stewart Reid

The four documents included a statement of principles concerning academic freedom and tenure, procedures for CAUT investigations, recommendations concerning institutional regulations and dismissal procedures. There was a good deal of division about this. The faculty association at United College had already recommended the adoption of the AAUP statement prior to the creation of a Canadian version.⁴³ Waterloo College, which was also having local difficulties, favoured a detailed statement. As Turner pointed out, it was not surprising that smaller institutions with autocratic boards would want detailed procedures and legal redress.

Saskatchewan and Alberta, however, were opposed to any definition of principle. Alberta was most emphatic about this. Professor S.R. Sinclair presented the views of the association's committee on academic welfare:

"expressing the unanimous opinion that *no* statement of principles at all should be adopted... The Alberta statement pointed out that while 'there is a disarming but superficial attraction about declarations of rights', it is also true that 'once codification is achieved, and strict lines drawn' the tendency is for both sides in a controversy over academic freedom 'to attempt to sail close to the wind'. The result will be that staff and administration will be come antagonists in the academic community."⁴⁴

Toronto and Queen's led those who favoured expression of principle but feared that too much definition would lead to restriction. They favoured a general statement by CAUT with the local association working out the details on each campus. They thought that such a combination of general CAUT statements with local autonomy would provide a sure foundation for the organization. This view carried the day.⁴⁵

In the final statement of principles the CAUT Executive and Council rejected the then AAUP view that there could be justifiable limitations on academic freedom notably in religious institutions and that an academic had to disassociate himself from his institution when making public statements. It also rejected the lengthy period of probation favoured in the United States. Instead, it adopted a brief statement of principle along the lines suggested by Turner with the specific addition that: "therefore, academic staff should have continuous (permanent) tenure after the expiration of a short, specified probationary period. Appointments should be terminated only for adequate, specified cause, and only by means of fair procedures".⁴⁶ This apparently was prompted by protests on the part of Turner that the original draft was too vague. "The question of whether our investigation procedures will make much sense", he wrote to Stewart Reid, "in the light of the new 'principles', e.g. how can we determine if there was a 'proper hearing' when the CAUT will not commit itself to the proposition that there should, in dismissal cases, be any obligation to provide a hearing, let alone a 'proper' one."⁴⁷ The Carleton faculty association had also pressed for more clarity on this point and their proposed wording was accepted.

Standing Committee Formed

The Council also transformed Turner's committee into a standing committee on academic freedom and tenure and adopted with minor modifications the lengthy terms of reference which he suggested. These were much influenced both by the current AAUP practice in investigations and the Fowke-Laskin report. Basically, the procedures allowed for the standing committee to create ad hoc investigating committees as in the Crowe case and laid down procedures so that these investigations would take place privately and would report to the CAUT. Such committees were not considered to be arbitrations but fact-finding committees of the association. It was assumed that private negotiations would precede and succeed any such investigation. Nevertheless, the purpose was clear:

"The report shall state (a) definite conclusions on the issues submitted to the Ad Hoc Committee by the Chairman of the Standing Committee on Academic Freedom and Tenure, or upon an alternative formulation by the Ad Hoc Committee of the issues involved; and where applicable (b) whether the dismissed faculty member was accorded a proper hearing and, if not, whether the shortcomings in the procedure invalidated the dismissal; (c) whether the record of the dismissal hearing contains substantial evidence in support of the factual conclusions which led to the dismissal (not whether the Committee would itself have reached these conclusions); and (d) whether the grounds for the dismissal accord with the CAUT Statement of Principles of Academic Freedom and Tenure. In short, the Committee shall determine whether the decision to dismiss was fairly reached and is rationally supported in the light of the Association's principles both procedural and substantive."⁴⁸

Since the Executive and Council decided to defer any action on the other procedural documents suggested by Turner, this in fact became the statement of procedural justice of the association. It clearly pointed the CAUT in the direction of reasonable procedures to guarantee academic freedom and tenure. But it equally clearly in its third clause indicated that the association would not take a narrow legalistic view. In its final clause it enunciated the principle that CAUT would investigate on the basis of its own principles and procedures rather than local ones. Both of these have been matters of great contention ever since but have been fundamental to the development of the CAUT doctrines of academic freedom and tenure and to the work of the Academic Freedom and Tenure Committee. These procedures also foresaw the possible publication of such reports in case the university proved recalcitrant.

trant. Publicity was considered to be the main weapon; there was no mention of censure. Furthermore, the procedures were limited to dismissal cases. It would not be until 1967 that the CAUT elaborated procedures in regard to denial of tenure and non-renewal of a probationary contract and adopted the device of formal censure.

The general approach of CAUT officers throughout this period between 1958 and 1960 seems to have been based on certain assumptions. They believed that the university was a plural institution which should tolerate any point of view. They had professional pride and assumed that university teachers should become self-regulating in the manner of other professions. This in turn would lead to a great deal of discussion in the nineteen-sixties on the issue of university governance and collegiality. Finally, they supported the view that the principles of natural justice, particularly the right to a fair hearing, should be secured for the academic profession. Since this could not be established in the courts or by legislation at that time, it was necessary to do so by altering the terms of service of university professors. The second and third of these ideas flowed into each other and formed the basis for most discussion within the university concerning academic freedom and governance in the next decade.

Donald Savage is Executive Secretary of the CAUT. This paper was initially presented at the Canadian Historical Association in Edmonton, in June 1975.

FOOTNOTES

1. V.C. Fowke, "Professional Association: A History of the CAUT", *A Place of Liberty*, ed. G. Whalley, Toronto, 1964; K.A.H. Buckley, "The Declining Status of the University in the Canadian Community", address to the CAUT Council, 1954.
2. CAUT Council Minutes, 4 June 1952
3. Executive Council Minutes, 9-10 June 1958. The motion was moved by J.W. O'Brien (Sir G. Williams) and E.M. Counsell (McGill) and the amendment by D.G. Pitt and J. Beetz (Montreal)
4. For opposing views on the genuineness of the reasons for dismissal, see K. McNaught, *A Prophet in Politics*, 1959, and Richard Allen, *The Social Passion*, 1971.
5. A.R.M. Lower, *My First Seventy-Five years*.
6. J.H. Stewart Reid to Frank Underhill, 10 May 1955, Underhill Mss., Public Archives of Canada.
7. *Saturday Night*, 22 November 1958.
8. The questionnaire sent to faculty in January 1958 stated: (a) Have you contributed to the College Building Fund? (b) Do you intend to contribute to the College Building Fund? (c) Do you intend to raise money for the Building Fund? Underhill, Mss., vol. 13
9. CAUT Bulletin, VII, 3, 1959, p. 22
10. *Ibid.*, p. 23
11. *Ibid.*, p. 25
12. A. Watson to H. Crowe, 21 July 1958. *Ibid.*, p. 61
13. A. Watson to Faculty Members, 26 August 1958. *Ibid.*, p. 66
14. *Winnipeg Free Press*, 20 September 1958
15. *Saturday Night*, 22 November 1958
16. Ian J. Harvey. *Free Press*, 24 September 1958
17. Anonymous letter, 26 September 1958, *Tribune*
18. *Tribune*, 25 September 1958
19. *Free Press*, 25 April 1959
20. cf. Victoria, Lovola, Ottawa
21. CAUT Bulletin, VII, 3, pp. 12-13
22. *Ibid.*, Special Issue Vol. VII, 3 January 1959

Resignations from United College
in connection with the dismissal of Professor Crowe

The dates given are not necessarily those on which resignations were submitted, but are the dates on which resignations were announced in the press.

		First Resignation	Second Resignation
Michael Oliver	Asst. Prof., Pol. Science	May 1958	
* J.H.S. Reid	Prof. & Head, History	Nov. 27, 1958	
* K.W.K. McNaught	Prof., History	Nov. 27, 1958	
* R.M. Stingle	Asst. Prof., English	Nov. 27, 1958	
Fred Harper	Asst. Prof., French	Nov. 28, 1958	
Michael Jaremko	Asst. Prof., Greek & Hebrew	Dec. 5, 1958	
Walter Young	Asst. Prof., Pol. Science	Dec. 5, 1958	Feb. 6, 1959
John Warkentin	Asst. Prof., Geography	Dec. 5, 1958	Feb. 6, 1959
Margaret Stobie	Asst. Prof., English	Dec. 5, 1958	Mar. 25, 1959
Roman R. March	Instructor, English	Dec. 5, 1958	Mar. 25, 1959
William Packer	Assoc. Prof., German	Dec. 8, 1958	March 25, 1959
G.E. Panting	Instructor, History	Dec. 8, 1958	Mar. 25, 1959
Hugh E. Makepiece	Instructor, French	Dec. 8, 1958	Mar. 25, 1959
Andrew K. Sigurjonsson	Instructor, English & French	Dec. 8, 1958	Mar. 27, 1959
Elizabeth F. Morrison	Instructor, Latin and Dean of Women	Dec. 8, 1958	Mar. 25, 1959
Marion Martin	Instructor, French	Dec. 10, 1958	
George Kenneth Brown	Assoc. Prof., Religious Studies	On sessional appointment; does not choose to seek re-appointment.	
Peggy Morrison	Registrar	Mar. 26, 1959	
Mrs. Doreen Patteson	Asst. Registrar	Jan. 31, 1959	

* Professors Reid, McNaught and Stingle wrote letters of protest indicating that they would be forced to resign unless conditions changed. The Board of Regents chose to consider these letters as resignations.

23. Principal Lockhart is alleged to have repeated to the Registrar a story concerning Winston Churchill who when criticized by a junior official supposedly remarked, "I don't remember having done you a favour recently", and Principal Lockhart added to Miss Morrison, "I hope you get the full implication".
24. *Free Press*, 25 November 1958. See also "Freedom in Winnipeg", *Canadian Commentator*, November 1958; "Harry Crowe and Human Rights", *Saturday Night*, 22 November 1958; Geoffrey Payzant, "More on L'Affaire Crowe", *Canadian Commentator*, December 1958.
25. *Free Press*, 28 November 1958
26. *Tribune*, 4 December 1958. Lower mentioned as former faculty: Jolliffe, Kirkconnell, Pickersgill, Phelps, Woods, Graham and Thomson.
27. *Tribune*, 4 December 1958
28. *Tribune*, 3, 5 December 1958, *Free Press*, 6 December 1958, 28 November 1958. See also letter of Professor Norman Zacour, 9 December 1958, *Free Press*.
29. *Tribune*, 13 December 1958. See also J.G. McGregor, "Dr. Lockhart Justified", *Canadian Commentator*, February 1959.
30. *Free Press*, 27 November 1958.
31. *Free Press*, 8 December 1958, *United Church Observer*, 1 January 1959.
32. The full text of the statements, documents and news reports can be found in the CAUT Bulletin, VII, 4 (1960) and in the files of the *Free Press* and the *Tribune*. See also "The Groves of Academe", *Canadian Forum*, January 1959.
33. *Free Press*, 22, 31 December 1958, 14, 19 January 1959.
34. *Times Literary Supplement*, 2, 9, 16, 23 January 1959. Also an attack on this practice of CAUT by the *United Church Observer*, March 1959. Circular letter of C.L. Barber, 3 February 1959, CAUT Archives.
35. Underhill Mss., vol. 13.
36. H.S. Crowe to A.H. Watson, 22 March 1959, CAUT Bulletin, 4 (1960); interview with H.S. Crowe, March 1975.
37. CAUT Bulletin, VIII, 4 (1960). See also statement supporting Crowe by the Association of the Academic Staff of the University of Manitoba, 1 April 1959, *Free Press*, 2 April, 1959; exchange of letters between J.W. Graham (Western Ontario) who attacked Crowe and the CAUT and James Eavrs (Toronto) who defended them, *Free Press*, 27 April, 19 May 1959.
37a. Anonymous document dated 4 April 1959; reply by 13 faculty, n.d., 1959; "Analysis of Anonymous Documents" by H.S. Crowe, K. McNaught, W.A. Packer, and R.M. Stingle.
38. Interview with K. McNaught, March 1975
39. See for instance N.H. Morse, President Acadia Association to C.L. Barber, 26 February 1959 mentioning the possibility of censure; L.A. Duchemin, President Mount Allison Association to C.L. Barber, 7 February 1959, opposing further action, CAUT Archives; interview with H.S. Crowe, March 1975.
40. *Free Press*, 8 June 1959; Report of the Special Committee on the Crowe Case, n.d., 1959, CAUT Archives. The other members of the committee were F.W. Gibson (Queen's), L.E.M. Lynch (Toronto) and L.M. Read (Carleton).
41. G.A. Turner, "Academic Freedom and Tenure: Notes on Investigational Procedures", CAUT Bulletin, XII, 3 (1964). Also Turner Report, CAUT Archives.
42. A.J. Monahan, "Academic Freedom and Tenure and the CAUT — the First Twenty Years", CAUT Bulletin, XVIII, 4 (1970); Turner Report, 1959.
43. CAUT Executive Council Minutes, 22-23 November 1959
44. CAUT Council Minutes, 14-15 November 1959
45. CAUT Executive Council Minutes, 6 June, 14-15 November 1959. See also G.H. Turner to A.F.T. Committee, 16 May 1969, CAUT Archives.
46. CAUT Council Minutes, June 1960.
47. G.H. Turner to J.H. Stewart Reid, 14 December 1959, CAUT Archives.
48. Turner Report; CAUT Council Minutes, November 1959

PRESIDENT and
VICE-PRESIDENT
C.A.U.T.

The Canadian Association of University Teachers solicits suggestions for nominations for President and Vice-President of the C.A.U.T.

The nominee must be a member of the C.A.U.T. and must be nominated by another member of the C.A.U.T.

Nominations must be accompanied by a curriculum vitae and written agreement of the candidate to serve. Duration of term — one year.

Correspondence should be addressed to Professor Richard Spencer at C.A.U.T. Central Office, 66 Lisgar, Ottawa, Ontario K2P 0C1 and should arrive no later than February 29, 1976.

PRÉSIDENT ET
VICE-PRÉSIDENT
L'A.C.P.U.

L'Association Canadienne des Professeurs d'université sollicite des suggestions de candidatures de la part de ses membres pour combler des postes de président et vice-président.

Le candidat doit être un membre de l'A.C.P.U. et son nom doit être suggéré par un autre membre de l'A.C.P.U. Les candidatures doivent être soumises avec un curriculum vitae et un engagement écrit de la part du candidat de servir à ce poste durant un an.

La correspondance doit être adressée au Professeur Richard Spencer au siège de l'A.C.P.U., 66 rue Lisgar, Ottawa, Ont., K2P 0C1 et doit parvenir le 29 février 1976 au plus tard.

Pronouns...

Sir:

I wonder why, in her article "Methodology for Women's Studies", Professor Christine Garside Allen suggests that this new discipline will be taught to and by females. This is what all her pronouns imply. The student will "pursue specific areas in the field which correspond to *her* abilities and interests", "*she* (will) integrate the material *she herself* has studied", and so on. Meanwhile the teacher of a Women's Studies course will be "able to grow and develop through sensitive criticism of *her* own teaching ability."

Possibly Professor Allen wants to get out of the masculine pronoun bind which English usage imposes when one refers to single members of a group containing both sexes. (Plurals and impersonals also evade this problem.) But if in fact she means women teachers only for women students she explicitly says she doesn't want: "courses hidden away in a corner of a large university," or courses perceived by the university at large as "women's fields", on the border of Household Economics and Nursing, in which a male student is an anomaly likely

to be ridiculed by other men.

Furthermore, if such courses are to have much of an effect beyond those who take them, they should be open to teaching and learning by all, perhaps with some precautions to prevent them from being captured by men and governed by male attitudes. I do have the same doubts about such courses as I do about ethnic courses for members of the ethnic groups they concern — that they will not really broaden anyone's experience but only confirm pre-existing attitudes and inculcate new prejudices. If the courses are good enough, they should attract men and women about equally, educate the men and the women in necessary matters, and avoid the stigma of second-class academic quality which a closed course of women is almost certain to acquire.

Very truly yours,

Jean MacIntyre

*Associate professor of English
University of Alberta*

"Clouding" the Issue

Sir:

Professor Savage, in your September issue, continues to demonstrate his prescience. My let-

The main functions of the Institute, according to Professor Griffiths, would be 1) a research division to assist in formulating projects and help get funding from granting agencies such as Canada Council and 2) a publication program which would ensure that important monographs get circulation and publicity, and that duplication of work is avoided.

It was resolved that the Board of AUCC should act to 1) support in principle the idea of establishing the Institute 2) encourage member institutions to foster research on women and make funds available 3) encourage the Learned Societies to devote a session to research on women 4) study the factors contributing to the high attrition rate of women students in universities and 5) distribute and discuss at the next annual meeting, an annotated document on studies which have been done at various universities on the status of women.

Other recommendations to come out of the two days of workshops focused on the need for improved day-care facilities on campuses, the necessity of ensuring that grade and high school students are made fully aware of the career choices open to them and not discouraged from entering traditional male fields, the need to ensure adequate financial aid so that women can pursue part-time study while raising a family, and the need to integrate non-academic and part-time academic staff into the university community.

ter to you was accompanied, as usual, by a letter of his. It's uncanny — almost as though he read the Bulletin before it went to the printer. Obviously, that is not the case. First, it would be dubious editorial practice. Second, although he anticipates my letters his second sight is not good enough for him to see the point.

In his latest letter, Professor Savage accuses me of ignoring the questions which *he* wants answered. I am prepared to debate these questions, and the assumptions behind them, if I am given equal space and equal opportunity for rebuttal. However, the question I asked when this correspondence began was a simpler one: Why does the Bulletin cover only one side of the collective bargaining discussion?*

I hesitate to respond to Professor Unger, especially when he was kind enough to offer me his copy of the Bulletin. But I still do not understand his stand. On the one hand he objects to a non-academic offering personal opinions on collective bargaining for faculty. On the other hand he wishes to take negotiations on academic salaries and working conditions, as well as on some issues of university governance, out of the university milieu. He and I agree that the logic of collective bargaining is to

bring faculty face to face with provincial governments, whose own negotiating teams may include some non-academics.

Your readers will be happy to know that **UNB Perspectives** has resumed publication. Volume 2, issue No. 2 includes a front-page story on smoking in classrooms. Not only is Professor Unger quoted in the article but his photograph appears, above a cutline: "Attempting to cloud the issue".

It is unfortunate the Professor Unger's work is not recognized nationally. Readers of the Bulletin last spring were able to get a vote-by-vote account of the Carleton faculty's move towards unionization, on the front pages of the March and May issues. Professor Unger at the same time was working hard to organize a UNB referendum but his efforts have earned not a single line of coverage. Is it because Head Office didn't know? Or is it because the move to seek certification was rejected?*

Yours sincerely,
Jeffrey Holmes

EDITOR'S NOTE: * A different position on collective bargaining from that of CAUT was published in the May 1975 Bulletin, "Collective Bargaining by Professionals" by John Crispo.

** Of 293 faculty members at UNB, 208 cast votes on the issue of certification. The vote was 103 in favour of certification, 75 against, with 30 undecided.

AUCC... from p. 7

"The willingness to change," she continued "comes at an inopportune time, when the system is contracting and (changes) cannot be received and instituted as easily as they might have five years ago."

Professor Moore called for the creation of an identifiable institution within the university, which would facilitate changes likely to improve the status of women. There was agreement from other speakers that some form of watchdog is necessary, because "the price of equality is eternal vigilance."

Some of those attending expressed frustration and dissatisfaction that no real action has yet been taken on the 77 resolutions passed by the AUCC at its 1971 conference. "What is the point," asked one speaker "of passing resolutions without a practical implementation?"

A partial response was offered by Professor Naomi Griffiths, of Carleton University, who expressed the feeling that "any progress is progress. At least we're still here," she said. "At least we haven't given up and gone home."

Professor Griffiths put forth a motion calling for the creation of an Institute for Research on Women's Experience, "which would have the authoritative clout of the C.D. Howe Institute; which would be consulted first for response to such legislation as the federal Human Rights Act (Bill C-72)."



VICE-PRESIDENT ACADEMIC UNIVERSITY OF GUELPH

Applications are invited for the position of Vice-President, Academic, at the University of Guelph. The University comprises Colleges of Arts, Biological Science, Family and Consumer Studies, Physical Science, and Social Science, the Ontario Agricultural College and the Ontario Veterinary College, and Schools of Agricultural Economics and Extension Education, Engineering, Hotel and Food Administration, Landscape Architecture and Physical Education. The University also has extensive programs in Continuing Education and a strong interest in international programs. It has extensive research programs, with a special commitment to agriculture and related areas. There are approximately 11,000 students, registered in undergraduate and graduate programs, and 700 faculty members.

The Vice-President, Academic, is responsible to the President for the administration of the academic programs and policies of the University. He or she must be a mature scholar with considerable experience in teaching and administration, and will hold a professorial appointment in an academic department of the University.

Term: Five years with the possibility of renewal for a further five years.

Effective Date: July 1, 1976

Applications should be received no later than January 1, 1976 and should be addressed to:

**President D. F. Forster,
University of Guelph,
Guelph, Ontario, N1G 2W1**

Teach or Perish ...

The Faculty In Higher Education, Deane G. Bornheimer, Gerald P. Burns, Glenn S. Dumke. The Interstate Printers & Publishers, Inc., Danville, Illinois, 1972. 213 pp. (no price).

The authors of this book are high ranking administrators.¹ Their intent here is to stress the importance of faculty in the aims of higher education, and the relevance or irrelevance of the conventions, structures, and notions which aid or hinder faculty in the performance of their essential task of teaching. The contents are often bland and the tone somewhat official. Those already familiar with university structures will find much of the descriptive bulk in these pages less than exciting. The book deals with many issues, from "Curriculum Concepts" to "Promotion Procedures". It is prescriptive in that it isolates problems in the rusty cogs of academic bureaucracy and is intent on suggesting more adequate procedures and systems than seem presently available. Unfortunately, the tendency of the authors is to reach for even more elaborate procedures and systems to cope with given problems. This is perhaps the book's main limitation. Speaking, for example, of the difficulty of orienting new faculty (Chapter 10), they suggest a form of supervision and "in-service training" (p. 139) which is, to say the least, intimidating. One often gets the impression that the authors are not oiling the machinery, but merely adding more water.

In spite of this limitation, the significance of this book and urgent reason why it should be read (especially by university administrators), lies in its attention to one of the largest problems of the university today. When not troubled by its textbook structure, the book is dealing with a crisis in teaching in American colleges and universities. Records show a steady decline in faculty performance on this crucial level. The public is aware of it and demands accountability; the students are aware of it and cry for student evaluations. The problem is aggravated by dated reward systems, ones which do not encourage or value excellent teaching in any central and dramatic way. Universities, especially since the Sputnik fright, have tended to value the *scholar* over the *teacher*. The imbalance is doggedly built into most universities' criteria governing promotion, tenure, and renewal. To deal in caricatures, the grant-getting, research-publication oriented, student-evading scholar is too often valued as superior to the lecture-preparing, interviewing, paper-marking, student-conscious teacher. The good teacher might be performing the essential task of the university and as such is the very foundation of the structure, but the university is primarily interested in the people in the ivory tower above. Although this might sound too simple to be true, the authors gather impressive data (notably from the ACE) to establish the realism of their claims.

It is not that the authors are against scholarship. They subscribe to the notion that good research and effective teaching go hand in hand. But that is the ideal. Rarefied research, and time consuming teaching fall to either side of it. The reasonable demand, they feel, is that faculty members excel in one area or the other. Scholars and teachers perform different functions, but should be considered of equal value to the institution. At present, scholars are the academic upper class and teachers the lower. Time spent on highly specialized research and publication tends

to be done at the expense of the student. Time spent on preparing good lectures (and the kind of central but non-publishable research that often involves) tends, under present structures, to be done at the expense of the good teacher's career security. At promotion time, the curriculum vitae of the excellent teacher might appear less than ornamental. The claims that faculty make about their teaching at promotion hearings are all too often discounted as the rationalizations of those who are too incompetent (or not corrupt enough) to have built an impressive research-publication record for the public relations office. That the issue is recognized with some degree of disquiet by university administrators might now make these claims more credible. An irony which is only implied by the book is that while the public pays and asks for quality education, university officials account for institutional integrity by way of reference to everything but teaching performance.

In their desire to improve teaching standards, the authors do not resort, fortunately, to anything as simple as the need for standard student evaluations (those creators of top ten profs and revenge tragedies), and yet their prescriptions might bring with them other headaches. If they are grinding an axe on behalf of the good teacher, they are also sharpening one of their own on the same stone. Faculty, they claim, could profit from formal teacher training.² Additionally, the Ph.D. could be less specialized, more designed to introduce the graduate student to university teaching. They are harsh about the limits of the traditional Ph.D., and think the candidate is too often forced "toward a mold of professionalism rather than encouraged to seek a full flowering of wisdom" (p. 40). The problem of assessment is also addressed. Since teaching ability is often judged on vague hearsay, the department chairman and/or dean should visit classrooms and, in so many words, "check up on things". Most would agree, I think, that these prescriptions are problematic, if not downright unworkable.

To that extent, the book is more important for its outline of a growing problem, than for its solutions. Had the authors the courage to suggest that the university simply take a few risks in these matters, to value and trust the faculty member with a good teaching reputation (however known), one would feel more assured that one inadequate system of values and bureaucracy was not being replaced by an equally inept one. The waste of energy and moral oppression that so often grows out of tense supervisory systems are often not worth the spiritual expense they involve. In the end, faculty members are more likely to perform well if their basic psychology is understood, rather than because they are stumbling around to qualify under this or that bureaucratic system of values and supervision. For all of that, because of this book, good teaching might be more justly valued in the future. Its publication is timely; society's directive to the university of the late seventies might well become "teach or perish".

Terry Whalen
Department of English
St. Mary's University

1. Respectively: *Chairman, Higher Education Program* (New York University); *President, Our Lady Of The Lake College*; *Chancellor, The California State University and College*.

2. For a recent expression of the same claim in England, see *The Times Higher Education Supplement*, January 10, 1975 (no. 3111) p. 4, and for a same response to this now familiar suggestion, see "Teaching: keeping jobs by doing them", Bruce Flattery, *CAUT Bulletin*, September 1974.

A Hit-and-Run Affair

Beneath the Surface: An Account of Three Styles of Sociological Research, Colin Fletcher. London: Routledge and Kegan Paul, 1974.

The subtitle of this book promises an account of three styles of sociological research. The reader expecting to find a straightforward exposition of techniques and methods will, however, be either disappointed, exasperated or pleasantly surprised, depending on temperament and methodological position. What in fact Dr. Fletcher offers is an autobiographical odyssey through the attractions, potentialities and disappointments of three styles of research work — quantitative, qualitative and critical. It is, in effect, the moral tale of a thoughtful man's conversion from quantitative to critical sociology, with qualitative work as a half-way house full of false promise.

The three styles in question turn out to be simplified versions of Habermas' distinction between empirical, hermeneutic and emancipatory knowledge, written from the view point of practicing researcher rather than theorist. Corresponding to each method is a particular notion of theory, a characteristic orientation to the social world, and a particular form of responsibility. The contrast between quantitative and qualitative sociology is made in terms of familiar categories: explanation v. interpretation, objective v. subjective, validation v. understanding. The first style is presented through confronting two well-known sociological stories (the foreman as marginal middleman and Gouldner's tale about locals and cosmopolitans in an American college) with statistical evidence. To exemplify the second style, Fletcher takes us through a long, detailed and subtle account of observations recorded in a doctor's surgery. This account suddenly develops into a disconcertingly abrupt and melodramatic condemnation of the qualitative method as a pathway to damnation, i.e. condemnation to the purgatory of trivializing gossip and voyeuristic sensationalism.

In spite of some shrewd hits, it is quite clear that a criticism which marshals qualitative explorers into three battalions — phenomenology, symbolic interaction and ethnomethodology — for a thirty-six page deflationary review cannot pretend to be more than a hit-and-run affair. Moreover, the section is marred by some gratuitous anti-American satire which almost looks like cultural prejudice. The third style, critical sociology, is informed by a conception of theory as advocacy whereby the sociologist discharges a responsibility of beligerent involvement in the social world. Given this characterization it is not surprising to find C. Wright Mills help up as an ideal model. Not only do his writings display beligerency but also the left-wing political commitments which Fletcher apparently finds indispensable for doing critical sociology.

The third section as a whole is less well done than the others. Two unconvincing illustrative essays on the serious business of being professionally funny and shortcomings in sociological usages of the concept of class are followed by a rambling presentation of the idea of social criticism. The themes of historical relevance, reflexivity and the integration of theory and praxis have been more convincingly rehearsed elsewhere (Fletcher himself provides the references).

Overall this is a disconcerting book to read due to un-expected switches in feeling and

... cont'd on p. 32

Pensions for Canadian University Faculty and Public Servants

by E.D. Maher

Recently the CAUT completed a survey of pension arrangements in Canadian universities. Furthermore, the Federal Government made a number of changes effective in 1975 with respect to the Canada Pension Plan, and with respect to the tax treatment of pension payments and of people over 65. Thus this seems to be an appropriate time to review the entire subject of pensions and possibly to provide some guidelines for local associations in assessing the pension arrangements in their own institutions. Although no formal survey was undertaken of pension plans for public servants some information has been obtained particularly on recent changes involving adjustments for change in the Consumer Price Index (CPI) and it seemed desirable to incorporate this material. Since about two thirds of university operating funds come from the federal and provincial governments it does not seem unreasonable to expect that pension costs and benefits for university employees ought to be at least comparable to those of public servants.

There are a variety of types of pension plans and there is no unanimity about the best type of plan, the appropriate level of pension benefits, how pensions should be financed or even what is equitable treatment between men and women or young and old, although fortunately there is a substantial degree of consensus on many points. However, we can at least set forth the essential characteristics of the various types of plans, their apparent advantages and disadvantages and their potential weaknesses (and how to avoid them). We can summarize the results of the questionnaire for each type of plan so that locals have a basis for comparison with their own arrangements.

Basically there are three distinct types of pension plans—Defined Benefit (DF), Money Purchase (MP), and a blend of the first two called a Money Purchase with a Minimum Guarantee (MPM) and all three are to be found in universities (although the straight Money Purchase Plan is not common in Canada). The Defined Benefit Plans provide for pensions using a formula related to years of service and final average salary — usually the average salary of the five highest years. Contributions for employees are usually a fixed percentage of salary. The employer may or may not make a regular annual contribution but in any case he assumes the full liability for ultimately providing whatever may be necessary to pay the pensions specified under the plan. The Federal and Provincial Government plans for Public Servants are normally DF plans. In the Money Purchase Plan the contributions of both the employer and the employee are fixed in relation to salary and the pension will be whatever these funds and their subsequent earnings will buy as an annuity. In the case of the Money Purchase with a Minimum Guarantee both employer and employee make contributions of specified percentages of salary as in the case of the pure Money Purchase Plan but there is also a formula benefit specified as in the Defined Benefit Plans and on retirement the employee can choose between the money purchase annuity and the formula benefit whichever is larger. The employer of course will be liable, as under the straight Defined Benefit Plans, for any additional funds needed to meet the minimum guarantees if employees find it desirable to choose benefit.

In considering the adequacy of pension benefits we must take into consideration that ge-

Dans cet article, le professeur Maher fait une revue de la situation des régimes de pension dans les universités, suite à une enquête effectuée par l'ACPU l'an dernier, et à la lumière des derniers développements dans les régimes statutaires fédéral et provinciaux. Après avoir constaté que, dans les universités, il y a trois sortes de régime de pension, à savoir, les régimes à bénéfice défini, les régimes de caisse d'épargne, et les régimes de caisse d'épargne assortis d'un bénéfice minimum garanti, il fait une analyse comparée de chacune de ces sortes de régime. Enfin, il termine son article avec les problèmes de la consolidation des fonds de pension et la retraite anticipée.

nerally faculty will qualify for pensions from at least three sources. Those who meet the Canadian residence requirements will receive the Old Age Security Pension (as will their spouses) which was \$125 a month on July 1, 1975 and which is automatically escalated for increases in the Consumer Price Index. All should qualify for the Canada Pension Plan (CPP) — or the related Quebec Pension Plan (CQPP is usually used to identify these plans). CQPP is a defined Benefit Plan with contributions and benefits related to earnings but with a maximum earnings level (YMPE) — for both contributions and benefits. This maximum (YMPE) is scheduled to rise rapidly over the next few years until it equals average earnings from employment in Canada after which it will maintain that relationship. All people now retiring who have been covered by CQPP since 1966 will qualify for the maximum pension relative to earnings which, for faculty, means the maximum possible. Both the OAS and the CQPP are payable at age 65 regardless of subsequent earnings and 65 is the normal retirement age in Canadian universities. Typically the institution's own plan is integrated with the CQPP and the same is generally true of Public Service Plans. By this we mean that contributions by the employee (and by the employer in MP plans) to the institution's own fund are specified as a percentage of total salary less the required contributions to CQPP. Where the institution's plan is a Defined Benefit plan or has a minimum guarantee then the formula benefit is calculated separately for the salary subject to CQPP and for the excess. As a result the relative importance of the two plans as contributors to the pension may change over time but the total benefit remains relatively steady. This seems sensible provided the combined benefit is adequate.

One concept of adequacy might be the maximum amount permissible if the plan is to qualify under the Income Tax Act and that is 2% per year of service (maximum 35 years) of the average salary of the best five years.² In measuring adequacy one should keep in mind that we will receive OAS at 65 (as will the spouse at 65). \$1,000 of pension income (from sources other than OAS) can now be excluded from taxable income. Also at 65 one becomes eligible for an additional personal exemption (\$1,000 in 1973 and escalated subsequently for changes in the CPI in the same way as the personal tax exemptions). Furthermore any portion of a spouse's exemption not usable by one spouse may be transferred to the other for tax purposes.

Let us now turn to an examination of the various types of plans as these exist in the uni-

versities and with some comparisons with plans for Public Servants.

Defined Benefit Plans.

This is the typical plan, used by the Federal and Provincial Governments and by about half the universities. As already mentioned the pension benefit is determined by years of service, and final average salary usually over the five best years. Governments and most of the universities provide for the accumulation of pension benefits at 2% per year with employee contributions as a fixed percentage of salary and the employer assuming the remaining liability. Generally these plans are integrated with CQPP.

Since the pension is related to highest or final average salary some adjustment for inflation prior to retirement takes place more or less automatically since salary levels normally rise with the CPI. However this adjustment can be seriously inadequate in times of very high rates of inflation (see "Fixed Benefit Plans and Inflation" by E.D. Maher, September 1974 and "Inflation and the McGill Pension Plan" by A. Deutsch, August 1974 — both distributed in May by CAUT). Inflation after retirement is generally a more serious problem. At least as early as 1960 university administrations and CAUT recognized the need for cost of living adjustments to pension benefits to protect the real value of such pensions in times of steadily rising prices.³ However little was done until recently (until 1974 the Income Tax Act limited contractual adjustments to a maximum of 3% but that ceiling has now been removed). Full and automatic adjustments to pensions for changes in CPI are now provided for in the OAS, the CQPP and for Federal Public Servants and other employees of the Federal Government and for public servants in British Columbia. Automatic adjustments will be in effect by next year in Ontario and PEI, with an 8% ceiling, and in New Brunswick with a 6% ceiling. In Manitoba there is a statutory triennial review. Thus it seems reasonable to assume that the Provincial public servants will have something approaching full cost of living adjustments.⁴ According to the CAUT survey the great majority of DF plans in universities do not have any adjustment for cost of living and for those that do it is usually only 2%. Obviously it is difficult for organizations other than governments to commit themselves to open-ended undertakings of the type involved in a full and automatic adjustment of pensions for increases in the CPI. However since universities are financed largely by federal and provincial governments it would seem reasonable to expect governments to provide them with financing sufficient to provide pensions comparable to those provided by these governments for their own employees.

Governments typically do not provide full and immediate vesting although five years now seems to be the maximum waiting period. The survey lists six universities with deferred vesting (2 are in Public Service Plans) and by next year none will exceed a 5 year limit. However if pension benefits are to be considered as part of salary there would seem to be no justification for any deferred vesting.

A more serious weakness of the DF plans has been that vesting has often meant only the right to a deferred pension if the employee leaves before normal retirement age. This deferred pension benefit has two major weaknesses.

Since an employee's real income generally rises steadily with age and service the deferred pension will be based on a lower real salary than if the employee had remained with the same employer until retirement. Secondly the protection against inflation (admittedly incomplete) provided by basing the pension on the final salary is lost.⁵ However this weakness can be avoided by indexing the pension benefit from the time the employee leaves and not just from the time the pension begins. Although very few government or university plans appear to provide this protection, it is done at the University of Alberta (2% per annum ceiling) and in the New Brunswick Public Service Act (6% per annum ceiling).

There is another means of providing for the employee who leaves before retirement and that is by permitting a transfer of his pension funds to the fund of the new employer or to a private Registered Retirement Savings Plan (RRSP). Where the employer is not required to make regular specified payments into the pension fund, as in some government DF plans, then the amount of the employer's obligation when an employee leaves is usually specified with reference to the employee's contribution; an amount equal to the employee's own contribution (usually plus interest) is frequently specified. Since employee contributions are usually at least 5% this does not seem to be an unreasonable arrangement. The plan should, of course, provide for interest earnings on the funds since the employee is usually compelled to join the pension plan. Where the employee has the option of a transfer of funds he can use the money to buy up past service with a new employer's DF plan if that is permitted. If that is not possible he would probably find, at least if he is many years from retirement age, that transfer of the funds to a private RRSP (or even the purchase of a deferred annuity from an insurance company) would be preferable to accepting a deferred annuity⁶ from the employer if the deferred annuity does not have adequate protection against inflation from the time he leaves that employer. The CAUT survey indicates that there are 7 plans which do not provide "portability" as described above. However the situation may be even less satisfactory than those figures would suggest since often transfers are limited to other employers and then only to such employers as have signed reciprocal agreements; this is generally the case with government plans but since CAUT did not ask the question we have no information on whether it is typical of university plans. Reciprocal agreements tend to be signed only with other employers of the same type — e.g. other governments or other universities — and thus many people will be unable to qualify. There seems to be little justification for the employer requiring any condition for a transfer other than an agreement that will ensure that the employee can not subsequently withdraw the employer's contribution other than through a pension.

DF plans often treat men and women differently by automatically providing spouse benefits for widows but not for widowers but where this is done women usually pay a lower contribution rate than men. The CAUT questionnaire did not ask about this specifically but in all cases only one contribution rate is shown. Otherwise men and women obtain the same pension benefits although women might be discriminated against by being required to retire earlier than men; there is no indication from the survey that there is any such differential treatment as far as faculty are concerned.

The amount of the employee's contribution depends more or less on the benefits provided — particularly the extent of the automatic adjustment for the changes in the CPI. Federal

Public Servants contribute 7½% and get full CPI adjustments. B.C. has introduced full CPI adjustment with a floating rate to be related to costs. By next year Ontario will provide CPI adjustment with an 8% per annum limit and New Brunswick with a 6% limit and will each raise employee contribution to 7%. Contribution rates for university plans vary from 5% to 7½% with CPI adjustments currently varying from 0% to 3% per annum.

One weakness of Defined Benefit plans is that often new employees are not eligible if they have reached the age of 55 or more. Presumably this restriction is based on the assumption that the amount of money in the pension fund at retirement relative to the amount of pension to be paid will be less than if the employee had contributed for a longer period of time during which the earlier contributions would have had a much longer period in which to grow through interest earnings. The recent recommendations of the Ontario Task force if adopted would presumably not permit such exclusion on the grounds that it is unjust discrimination on the basis of age. Again the CAUT questionnaire did not seek information on this point. In any case where new employees over the age limit are denied entry to a Defined Benefit Plan it has not generally been customary to provide employer contributions to an alternative Money Purchaser Plan although this would seem to be required in the interest of fairness and equity.

Money Purchase Plans

This is the typical plan used in the United States mainly because it is the plan provided through Teachers Insurance and Annuity Association (TIAA) with which most private U.S. universities and colleges have their pension arrangements. There are very few such plans in Canada according to the CAUT questionnaire (and except for Western they are small institutions which use TIAA). In this type of plan the employer and the employee each contribute a fixed percentage of salary and the employee then gets whatever pension the total funds (including earnings on the contributions) will buy at retirement. Vesting is normally full and immediate. Normally contributions by and on behalf of men and women have been the same with the result that pension benefits have differed since insurance companies price annuities separately for men and for women based on differing life expectancies. (If Ontario adopts the recent recommendation of a Task Force that non-discrimination between men and women means equal benefits then some type of change will be necessary in MP plans — at least in Ontario).

Money Purchase plans of course make no specific provision for dealing with inflation. TIAA attempted to deal with this problem in 1952 by establishing a common stock fund (CREF). TIAA was a traditional fixed income fund. The assumption was that the value of common stocks generally kept pace with inflation and that the employee could choose to hedge against inflation by having at least part of his pension funds invested in common stocks.⁷ The general arrangement was that the employee could choose to put part or all of this contributions into CREF. CREF did very well during its first 20 years but in the early 70's when we encountered double digit inflation the stock market declined drastically. Although with the sharp recovery of the market in 1975 it may well be too early to write off common stock fund as a suitable means of trying to take care of inflation after retirement recent experience has introduced substantial uncertainties.

Money Purchase Plans with a Minimum Guarantee.

This type of plan represents an attempt to

combine the best features of the Money Purchase Plan with the best features of the Defined Benefit Plan and is the type favoured by Ingraham in his 1966 Report "Faculty Retirement Systems in Canadian Universities". Possibly that is one of the reasons it has become so popular in Canada being used in 11 institutions. The employer and the employee make specified contributions to a fund — as in the MP Plans — but in addition the plan provides a minimum pension, usually guaranteed by the employer, and determined as in a DF plan. At retirement the employee has the option of either using the amount to his credit in the fund — the combined employer-employee contributions plus earnings — and buying an annuity⁸ or choosing the minimum guarantee. However if he chooses the minimum guarantee then inflation protection becomes important just as in DF plans. While most of the university MPM plans do provide for automatic adjustment the limits are 2% or 3% which is clearly no longer adequate. These plans typically provide full and immediate vesting and portability of the amount contributed to the MP part of the plan. Generally the minimum guarantee is less than the formula benefit under defined benefit plans. (1.7% per year with 60% maximum is most typical but several are around 1.5%). This compares with 2.0% and 70% maximum for many DF plans.

Pension Funding.

Governments with DF plans usually maintain a separate fund at least for employee contributions but may contribute little or nothing themselves until money is needed to pay pensions. What funds there are usually invested in government securities. Employees usually have little concern with the fund since they are relying on the general taxing power of the government to meet their pension obligations and not on the fund. Some university faculty with DF pension benefits are either in government plans (UNB, RMC, CMC) or have government guarantees (U. of Alberta) but in most cases the university is technically solely responsible for meeting the pension obligations and thus the pension fund assumes greater importance. In such cases the institution could seek to obtain a high return on the fund in order to provide the maximum benefits at lowest costs to employer and employee and to seek to avoid a situation developing in the future where pension obligations might require unexpectedly high contributions from either or both parties. The alternative would be to pursue a conservative investment policy and assume that so long as employee contributions were as high as, and the pension benefits no higher than, for public servants in the province that the government could ultimately be counted on to make up any unusual funds needed by special grants.

In the case of MP plans the pension benefit depends entirely on the contributions to the fund and the earnings of the fund. In the MPM plans the employee has usually accepted a minimum guarantee which is lower than the fixed benefit normally provided under straight DF plans by other comparable institutions so again earnings on the fund are of major concern to him. Basically there are two choices. The institution can select an existing trust company or insurance company fund (or funds) in which case it will have the responsibility to monitor the performance of the fund (or funds) in comparison with others available and shift funding agencies when appropriate. It may also choose to go one step further selecting a number of specialized funds — e.g. a bond fund, a common stock fund, a mortgage fund, etc. — and making its own decisions about the way money is to be distributed from time to time among the funds. Finally it may choose to set up its own fund — as has been done at UBC and

Queen's — and make its own policy decision. In the case of pure MP funds the institution may choose two or more funds — e.g. TIAA-CREF — and permit each employees to choose how he distributes at least his own contributions among the different funds available (usually he has no say in the investment of the funds contributed by the institution on his behalf). Since the CAUT questionnaire did not distinguish adequately among these various possibilities information obtained about the availability of investment in equities is not entirely clear. In all of these cases it would seem appropriate that faculty be represented on whatever body selects the investment funds to be used or determines their investment policy where the university has its own fund. Unfortunately the CAUT questionnaire did not produce useful information on this point.

Early Retirement

Early retirement with an actuarially reduced pension seems to be available at almost all universities and most provide for it as early as age 55 which has normally been the lowest age at which one is permitted to draw a pension from a plan registered under the Income Tax Act. Since life expectancy at 65 is only about 15 years a decrease of 5 years in the retirement age increases the period for which a pension must be paid by about a third. In addition the funds to pay the pension are reduced both by the loss of contributions for five years (when salary and therefore payments would be highest) and by the loss of earnings on the fund at a time when it would be largest. Thus the actuarial reduction is quite sharp. Sometimes early retirement is possible without actuarial reduction in DF plans although usually only after long service.⁹ Of the five universities providing early retirement without actuarial reduction two are in government plans. The federal

government provides early retirement at age 60 without actuarial reduction as soon as one has qualified for a pension which requires only five years of service. But even without actuarial reduction a person retiring early normally receives a lower pension because he will have fewer years of service and the pension will generally be based on a lower average salary than if he had waited until normal retirement age. Of course an employer can afford to supplement the pension substantially to encourage early retirement if the employee is not to be replaced prior to his normal retirement age.

Summary

The Defined Benefit plans generally appear to provide for an adequate pension for those who remain with the same employer and are able to qualify for the maximum benefits. The basic weakness is that automatic adjustments for changes in the CPI are currently quite inadequate in most cases—even where they exist—in view of the current rate of inflation. Deferred pensions for those who leave before retirement will be quite unsatisfactory unless there is full indexing from the time one leaves the employer. However it must be recognized that full indexing will increase costs and undoubtedly require additional contributions from employees. Defined Benefit plans should provide for complete portability — i.e. the option for the departing employees to transfer both his own contributions and a reasonable employer contribution (plus reasonable interest earnings) to another employer's plan or to an RRSP without the restriction of any requirement for a reciprocal agreement. Vesting of employer contributions should be full and immediate; most plans now meet this condition. Either there should be no maximum age of entry¹⁰ or there should be an alternative Money Purchase Plan for new employees who are

close to retirement age. Faculty ought to have the option of retiring at any time from age 55 at least on an actuarially reduced pension.

In the case of Money Purchase plans (with or without a minimum guarantee) all seem to provide full and immediate vesting.¹¹ It is not clear whether they all provide for portability; it would seem to be desirable to be able to use the money to buy up past service where one transfers to an employer with a Defined Benefit plan. Faculty definitely should participate in some meaningful way in the selection of the investment fund or funds to be used or in the management of the institution's own fund if that is the choice. The opportunity should exist to invest in equities although whether this should be done through a joint decision about what portion of a single fund should be invested in equities or by the TIAA-CREF system where each individual chooses what portion of his own contributions to invest in equities would seem a matter of choice at each institution although again a choice in which faculty should participate. Except for one or two cases the MPM plans seem to meet the minimum contribution requirements to the money Purchase component and the fixed minimum guarantee suggested by Ingraham.

In at least one case (UBC) the minimum guarantee is expected to be met from the fund — the institutions assumes no additional liability.

² However it should be noted that this applies only to "private" plans (including Public Service) and excludes benefits under both OAS and CQPP. There is also an overall limit of \$40,000 per year for "private" plans.

³ Report of the NCCUC — CAUT Joint Pension Committee, May 1960.

⁴ One must examine the CPI adjustment rule carefully. (Does the limit apply to the rate of adjustment from the time of retirement or to each year separately?)

⁵ i.e. On Final Average career salary.

⁶ Specified as a percentage of his final average salary.

⁷ The 1960 AUCC-CAUT Joint Pension Committee recommended that faculty have the option of investing some pension funds in equities for this purpose.

⁸ It would seem to be desirable that the employee be free to buy the annuity from the best source.

⁹ Persons considering retiring before age 65 should remember that neither the OAS nor the CQPP will be payable until age 65 and furthermore the CQPP will be less than if one continued working until 65.

¹⁰ for DF plans.

¹¹ Actuarial reduction of the pension is, of course, automatic if early retirement is permitted.

E.D. Maher is Chairman of the CAUT subcommittee on pensions and teaches Business Administration at the University of New Brunswick.

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tone as the story unfolds. Each of the sections on quantitative and qualitative methods, for example, begins as a straight presentation, written in a style appropriate to the method (pedestrian and confidential respectivity), and leading the reader to attend to it as an orthodox piece of practical instruction. Each is then followed by a critical, ironic commentary displaying distance between the author and what he has just said. Having been "fooled" twice, the reader approaches the third section, on the critical method, with some scepticism. Indeed, the celebratory tone of Chapter 11 is so fulsome that the reader might well be forgiven for supposing that he has been led into another satirical ambush in spite of the author's insistence that this is now a sincere performance.

In conclusion, I think that this book would be of value in stimulating discussion in a graduate or advanced undergraduate course on methodological approaches in sociology simply because of its capacity to puzzle and irritate. It is sufficiently unfinished, incomplete and candid to be intellectually engaging.

Bryan S. Green

Department of Sociology
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UNIVERSITY OF CALGARY. Dean, Faculty of Sciences. The University of Calgary has divided its faculty of Arts and Science into four separate units — a University College (first year and interdisciplinary programs), a faculty of Sciences, a faculty of Social Sciences, and a faculty of Humanities. The University invites both nominations and applications for the position of Dean of the faculty of Sciences, with duties to commence April 1st, 1976, or as soon as possible thereafter. The Dean, as the senior administrative officer for six departments, Biology, Chemistry, Mathematics and Statistics, Computer Science, Geology, and Physics, is expected to provide dynamic leadership in a young university. He or she will, in cooperation with other units of the university, continue the development and coordination of strong academic programs and scholarly activities in the newly formed faculty. Candidates for the position should have an appreciation of the Canadian scene, a distinguished academic record and substantial experience in teaching, research, and administration. Nominations or applications, the latter to be accompanied by an up-to-date curriculum vitae, should be sent with some urgency to Dr. L.G. Donovan, Academic Assistant to the President, The University of Calgary, Calgary, Alberta, T2N 1N4.

UNIVERSITY OF CALGARY. Dean, Faculty of Social Sciences. The University of Calgary has divided its faculty of Arts and Science into four separate units — a University College (first year and interdisciplinary programs), a faculty of Sciences, a faculty of Social Sciences, and a faculty of Humanities. The university invites both applications and nominations for the position of Dean of the Faculty of Social Sciences, with duties to commence April 1st, 1976 or as soon as possible thereafter. The Dean as the senior administrative officer for nine departments, Anthropology, Archeology, Economics, Geography, History, Linguistics, Psychology, Political Science and Sociology, is expected to provide dynamic leadership in a young university. He or she will, in cooperation with other units of the university, continue the development and coordination of strong academic programs and scholarly activities in the newly formed faculty. Candidates for the position should have an appreciation of the Canadian scene, a distinguished academic record and substantial experience in teaching, research and administration. Nominations or applications, the latter to be accompanied by an up-to-date curriculum vitae, should be sent with some urgency to Dr. L.G. Donovan, Academic Assistant to the President, The University of Calgary, Calgary, Alberta. T2N 1N4.

UNIVERSITY OF NEW BRUNSWICK. School of Administration. Applications are invited for undergraduate teaching positions as follows: (a) accounting; (b) finance; (c) marketing; (d) organizational behaviour; (e) policy; (f) quantitative methods. Qualifications required are Ph.D., Ph.D. candidates or equivalent. Duties involve undergraduate teaching and research. The rank and salary are based on the candidates qualifications and experience. Appointments effective January 1 or July 1, 1976. Director, School of Administration, University of New Brunswick, Fredericton, N.B. E3B 5A3.

UNIVERSITY OF BRITISH COLUMBIA. Department of Bio-Resource Engineering. CHAIRMAN. DUTIES: Administration, participation and development of the teaching and research programs emphasizing systems design in the bio-resource areas of agriculture, food processing, reforestation, and fisheries. **EDUCATION AND EXPERIENCE:** Advanced degree in Agricultural Engineering or associated biological engineering fields with appropriate academic and/or industrial experience.

Ph.D. preferred. **STARTING DATE:** July 1, 1976 or when filled. **SEND COMPLETE RESUME TO:** Dr. W.D. Kitts, Chairman of Search Committee, Faculty of Agricultural Sciences, University of British Columbia, Vancouver, B.C., Canada, V6T 1W5.

UNIVERSITY OF NEW BRUNSWICK. Vice-President (Academic). The University of New Brunswick invites applications for the position of Vice-President (Academic). The University offers programs on two campuses to a total of approximately 6,000 full-time students, registered in undergraduate and graduate programs. The University has comprehensive and extensive programs in research and in continuing education. The University also is actively involved in a major development program abroad. There are in excess of 500 faculty members. The Fredericton campus, with an enrolment of approximately 5,400, comprises the faculties of Arts, Education, Engineering, Forestry, Law, Nursing, Physical Education and Recreation, and Science. Furthermore, there is a well-established school of Graduate Studies, a school of Computer Science, and a newly established school of Administration. The University of New Brunswick in Saint John currently offers four-year undergraduate programs in Arts and Business Administration, as well as the first two years of degree programs in Science, Engineering, and Computer Science. In addition, the first year of degree programs in Forestry and Physical Education are offered. The Vice-President (Academic) is responsible to the President for the administration of the academic programs and policies of the University. However, a recent study includes recommendations which may alter the Vice-President's responsibilities with regard to the Saint John campus. The candidate must be a mature scholar with considerable experience in teaching and administration, and will hold a professorial appointment in an academic department of the University. Term: 5 years, with a possibility of renewal for a further five years. **Effective Date:** July 1, 1976. Applications should be received no later than January 15, 1976 and should be addressed to the Chairman of the Search Committee: Dr. J.M. Anderson, President, University of New Brunswick, Fredericton, N.B. E3B 5A3.

UNIVERSITY OF ALBERTA. Director of School of Nursing. The University of Alberta is seeking candidates, male or female, for the position of Director of Nursing,

commencing July 1, 1976. Persons are sought with earned doctoral degrees, demonstrated scholarship, professional achievement and competence in administration appropriate for effective leadership in an established university with professional faculties and schools. Reports to the Vice-President (Academic). Salary commensurate with educational preparation and experience. Excellent fringe benefits. Applications and nominations should be sent to: Dr. M. Horowitz, Vice-President (Academic), The University of Alberta, Edmonton, Alberta, T6G 2J9.

AGRICULTURAL ECONOMICS

UNIVERSITY OF GUELPH. School of Agricultural Economics and Extension Education. Assistant Professor, recent Ph.D. preferred, under contractual terms to undertake teaching and research in production economics with special emphasis on agricultural finance. Candidates should submit their curriculum vitae to Dr. E.L. Menzie, Director, School of Agricultural Economics and Extension Education, University of Guelph, Guelph, Ontario, N1G 2W1, telephone 519-824-4120, extension 2760 by January 31, 1976. Post open January 1, 1976 to be filled by June 1, 1976.

ANTHROPOLOGY AND SOCIOLOGY

UNIVERSITY OF BRITISH COLUMBIA. Department of Anthropology and Sociology. The Department will be moving to the appointment as from July 1976 of: (I) Two or three faculty members, at the Instructor, Assistant or Associate level, anthropologists and/or sociologists, whose qualifications, research and teaching interests, past, present and future, seem most commendable to the Department in view of its present strengths; and — (II) Some visiting posts for 1976-77 only, at the Instructor or Assistant level, in Sociology and/or Anthropology and Archaeology. Applications (to the Head, Department of Anthropology and Sociology, University of British Columbia, Vancouver, B.C., V6T 1W5) should include a full curriculum vitae and a narrative autobiography detailing those events and interests thought to be relevant to the post being applied for.

UNIVERSITY OF MANITOBA. Department of Sociology. Applications are invited for one or more anticipated positions, effective July 1, 1976. Rank and specialization open. Ph.D. with Canadian

UNIVERSITY OF VICTORIA

School of Nursing

New School of Nursing requires four (4) faculty members with at least Masters level preparation and successful experience in rehabilitation/gerontology/group work/problem solving/community health, to implement a two-year integrated B.S.N. curriculum for R.N.s. This programme seeks to enhance the current skills of R.N.s by expanding psychosocial awareness and developing skill in use of the scientific method as related to nursing. "Generalist" in focus, clinical practice will be primarily in extended care and rehabilitation units; some clinical work arranged on the basis of students' experiences and career goals. Interdisciplinary studies and innovative learning experiences for highly motivated, academically able students require close faculty co-ordination and cooperation, and provides an unusual opportunity for creativity. Salary and rank based on education and experience. Application and curriculum vitae should be sent by March 1, 1976 to:

Dr. Isabel MacRae,
Director School of Nursing,
University of Victoria,
P.O. Box 1700, Victoria B.C., V8W 2Y2

YORK UNIVERSITY



INVITES NOMINATIONS AND APPLICATIONS FOR THE POSITION OF DEAN OF THE FACULTY OF ENVIRONMENTAL STUDIES, EFFECTIVE JULY 1, 1976

In recent years, there has developed a global awareness of the interdependency of man and his environments, both natural and man-made. The complexity of this interdependence, whether considered for its own sake or as a step toward policy making and intervention, demands a realignment of traditional professions and disciplines concerned with the environment. In response to these needs, the Faculty of Environmental Studies offers individualized graduate programmes within a transdisciplinary framework which lead to the degree Master in Environmental Studies.

The Faculty now consists of 38 full and part-time faculty members and 250 graduate students. York University is searching for a Dean to exercise academic, administrative and professional leadership.

Written applications or nominations should be accompanied by a resume of qualifications and addressed to:

Professor W. Found, Chairman,
Presidential Search Committee,
Department of Geography,
York University,
4700 Keele Street,
Downsview, Ontario.

experience preferred. Salary dependent on qualifications and prior experience. Duties include teaching, supervising graduate students, and research in a thirty member department. Submit complete vita to: E.D. Boldt, Chairman, Selections Committee, Department of Sociology, University of Manitoba, Winnipeg, Manitoba, R3T 2N2.

BIOLOGY

MCGILL UNIVERSITY. Department of Biology. The Department of Biology, McGill University, invites applications for one position: **Plant Ecologist.** An appointment at the Assistant Professor level, to begin on or before September 1, 1976. Duties to include undergraduate teaching, graduate teaching, and a strong research program. The application deadline is January 1, 1976. The candidate will be chosen on the basis of demonstrated and potential research abilities and the capacity for graduate and undergraduate teaching. Ph.D. required. A curriculum vitae, a statement of research interests, and three letters of reference should be sent to: Ms. E. Mader, Department of Biology, McGill University, P.O. Box 6070, Station A, Montreal, Quebec, Canada, H3C 3G1.

UNIVERSITY OF GUELPH. Department of Microbiology. Applications are invited for an Assistant or Associate Professor in general microbiology. The successful applicant should have a Ph.D. degree, preferably with post-doctoral experience, and will be expected to teach at the undergraduate level, eventually in pathogenic and systematic microbiology. The applicant will also be expected to supervise graduate students, participate in graduate courses, and carry out individual research, preferably in the area of microbial diseases of fish or microbial genetics. Appointment available in January, 1976. Closing date for application is December 31, 1975. An application, including curriculum vitae and the names of 3 referees should be submitted to Dr. D.C. Jordan, Chairman, Department of Microbiology, College of Biological Science, University of Guelph, Guelph, Ontario, N1G 2W1.

CHEMISTRY

UNIVERSITY OF REGINA. Department of Chemistry. Applications are invited for a post-doctoral position in X-Ray Crystallography of organic adducts. Inquiries: Dr. B.E. Robertson, Department of Physics and Astronomy, University of Regina, Regina, Saskatchewan, S4S 0A2.

UNIVERSITY OF WESTERN ONTARIO. Department of Chemistry. Lecturer in Chemistry, one-year appointment, 1 July 1976 — 30 June 1977, subject to the availability of funds. Ph.D. in Inorganic or Organic Chemistry, preferably with some university teaching experience. Teaching and supervision of second year laboratory course which integrates organic and inorganic chemistry. Not less than \$11,475. Dr. H.C. Clark, Head, Department of Chemistry, University of Western Ontario, London, Ontario, Canada, N6A 5B7. 1 July 1976. 15 January 1976.

CLASSICS

UNIVERSITY OF VICTORIA. Department of Classics. The Department of Classics invites applications for three positions: (a) two one-year Visiting appointments for the session 1976-77, one at the level of Professor and one at the level of Assistant Professor; (b) one regular appointment starting July 1, 1976, initially for two years, at the level of Assistant Professor, for which expertise in Classical art and archaeology is essential and a special interest in Roman art and archaeology is desirable. The two junior appointments are contingent upon the availability of funding. Applicants should identify the position for which they wish to be considered, arrange for two or three letters of reference to be sent to the Acting Chairman, and send a copy of their curriculum vitae to the Acting Chairman, Department of Classics, University of Victoria, Victoria, B.C., Canada, V8W 2Y2. Applications should be in by December 15, 1975.

COMMERCE

UNIVERSITY OF SASKATCHEWAN. College of Commerce. Applications are invited for permanent or visiting teaching positions in each of the following areas: Accounting, Finance, Industrial Relations, Management and Business Policy, and Quantitative Analysis. Preference will be given to candidates with doctorates completed or near completion. Rank and salary will be commensurate with an applicant's qualifications and experience. 1975-76 salary minima for Assistant, Associate and Full Professors are \$14,863, \$19,338, and \$25,170 respectively. Applicants should provide a full curriculum vitae, transcripts

of academic record, a brief description of teaching and research interests, names of references, and details about salary expectations, date of availability, etc. to Dean S. Laimon, College of Commerce, University of Saskatchewan, Saskatoon, Canada, S7N 0W0.

MEMORIAL UNIVERSITY OF NEWFOUNDLAND. School of Business Administration and Commerce. Requires faculty in the areas of Accounting/Finance, Quantitative Methods, Organizational Behaviour, Personnel/I.R. Management, Marketing. A number of positions at any academic rank are to be filled in this rapidly growing school in a province on the threshold of significant development. Candidates should have a Ph.D. or an appropriate combination of MBA and experience. Salary will be competitive at all ranks. Appointment date will be September 1, 1976. Please send application, resumé, transcription and references to: G.A. Pynn, Director, School of Business Administration and Commerce, Memorial University of Newfoundland, St. John's, Newfoundland, A1C 5S7.

COMPUTER SCIENCE

UNIVERSITY OF CALGARY. Department of Computer Science. The Department of Computer Science invites applications for a Senior appointment. The applicant should have broad knowledge in computer science with particular expertise in some applied area. Applicants with expertise in data base management or systems architecture are particularly encouraged to apply. Candidates may if they wish be considered for the Headship of the Department effective July 1, 1976. There are currently 15 academic staff members within the Department. The computer facilities are CDC CYBER 172, IBM 370/145 and several minicomputers. Appointment date — July 1, 1976. Enquiries and applications together with curriculum vitae and the names of three referees should be directed to Dr. N.R. Parsons, Dean, Faculty of Arts and Science, The University of Calgary, Calgary, Alberta, Canada, T2N 1N4.

CONSUMER STUDIES

UNIVERSITY OF GUELPH. Department of Consumer Studies. Assistant Professor. Doctorate in Marketing or with a thesis on a subject related to consumer behavior. Undergraduate and graduate teaching and research in an interdisciplinary department. Primary teaching responsibility will be in introductory consumer behavior and communication related to the marketplace. An interest in retailing, government involvement in the marketplace or research methods would be useful additional interests. Salary negotiable. Apply to Dr. R.E. Vosburgh, Chairman, Department of Consumer Studies, University of Guelph, Guelph, Ontario, N1G 2W1. Appointment to commence July 1, 1976. Applications open until position is filled.

DRAMA

UNIVERSITY OF CALGARY. Department of Drama. Applications are invited for a Technical Director commencing July 1, 1976. To provide technical supervision for the Department's production programme and teach courses in technical production and stage-craft. Qualifications M.A. or corresponding professional experience. Salary negotiable. Address correspondence to Professor J.A. Euringer, Head, Department of Drama, University of Calgary, Calgary, Alberta, by January 15, 1976.

UNIVERSITY OF CALGARY. Department of Drama. Applications are invited for the position of Head of Department of Drama. Department offers four-year BFA (Drama) programme. MA and MFA (Theatre) programmes emergent. Within BFA (Drama) programme, students may pursue studies in literature/criticism, acting/directing, design/technical theatre, dance, cinema and puppetry. Applicants expected to offer wide knowledge of drama, scholarly interest in dramatic literature, appropriate administrative experience in academic theatre. Date of appointment 1 July 1976. Salary and rank negotiable. Current minimum salaries — Associate Professor \$19,440; Professor \$25,790. Applications with curriculum vitae and names of three referees to be received by Jan., 1/76 to Dean J. Marchbank Salmon, Faculty of Fine Arts, The University of Calgary, Calgary, Alberta, Canada, T2N 1N4.

YORK UNIVERSITY. Department of Theatre. Applications are invited for a senior appointment in dramatic literature and theatre history in Canada's largest Faculty of Fine Arts. Salary and rank dependent upon academic and/or professional status. Application, including curriculum vitae and list of referees, should be submitted to Malcolm

Black, Chairman, Department of Theatre, York University, 4700 Keele Street, Downsview, Ontario, M3J 1P3.

ECONOMICS

TRENT UNIVERSITY. Department of Economics. Applications are invited for an appointment in the areas of theory and quantitative methods but other fields will be considered. Assistant Professor, Ph.D. or near completion. Effective date of appointment July 1, 1976. Applications, curriculum vitae, and names of references should be addressed to Professor M.J. Boote, Chairman, Department of Economics, Trent University, Peterborough, Ontario.

UNIVERSITY OF GUELPH. Department of Economics. Two vacancies to be filled for the academic year 1976-77. Qualifications required: a Ph.D. in Economics and preferably teaching and research experience. Rank and salary determined subject to qualifications. Duties primarily teaching and research. Department has an active undergraduate programme and a small but growing M.A. programme. Applications to be sent to: Dr. J. Vanderkamp, Chairman, Department of Economics, College of Social Science, University of Guelph, Guelph, Ontario, N1G 2W1.

UNIVERSITY OF BRITISH COLUMBIA. Faculty of Arts. Applications are invited for the position of Professor and Head in the Department of Economics. The Department has forty-one full time members and offers undergraduate and graduate degrees with master's and doctoral programmes in the major divisions of Economics. The effective date of appointment is July 1st, 1976. Enquiries and applications, including curriculum vitae, names of three referees, and representative publications, papers, manuscripts, etc. to be sent to Dr. Robert M. Will, Dean, Faculty of Arts, 2075 Westbrook Place, Vancouver, B.C., V6T 1W5, not later than December 15th, 1975. The University of British Columbia offers equal opportunity for employment to qualified male and female candidates.

UNIVERSITY OF WATERLOO. Department of Economics. Assistant or Associate Professor. Ph.D. preferred; teaching experience. Salary: \$14,500 Assistant; \$18,900 Associate. Duties: teaching introductory economics and other undergraduate courses. Appointment begins January 1, 1976. Send inquiries, vitae to Dr. Robert R. Kerton, Chairman, Department of Economics, University of Waterloo, Ontario, N2L 3G1.

BROCK UNIVERSITY. Department of Economics. A permanent position for undergraduate teaching and research at the rank of assistant professor, preferably with a specialization in international trade; other fields may be considered. A temporary (one year) appointment at the lecturer or assistant professor rank may be available; the preferred fields are history of comparative economic systems; other fields may be considered.

EDUCATION

UNIVERSITY OF REGINA. Faculty of Education. Title of Position: Assistant or Associate Professor in Language Arts Reading Education. Qualifications: At least a Master's degree in Education with a Doctorate preferred and with a substantial Literature background and with teaching experience in the Language Arts/Reading Education areas at the elementary and secondary levels. Nature of duties: Undergraduate teaching in Curriculum and Instruction classes in Language Arts/Reading Education to students majoring in elementary and secondary education. Some participation is required in the supervision of interns. Salary offered: Salary — negotiable according to qualifications and experience. Person to whom inquiries should be addressed: Dean W.N. Toombs, Faculty of Education, University of Regina, Regina, Saskatchewan, S4S 0A2. Effective date of appointment: July 1, 1976. Closing date for receipt of applications: January 15, 1976.

UNIVERSITY OF BRITISH COLUMBIA. Faculty of Education. Department of School Libraries. Applicants are invited for a teaching position at the level of Instructor, Assistant or Associate Professor to commence July 1, 1976. Scholarly qualifications in Education and Library Science are required, doctorate preferred, also successful experience in teaching School Library work. Will include instruction at graduate and undergraduate levels, the supervision of practice teaching in a department that currently has four full-time members. Rank and salary in accordance with qualifications and experience. Application, curriculum vitae, and letters of reference should be sent to Professor G.T. Stubbs, Faculty of Education, University of

British Columbia, Vancouver, B.C., V6T 1W5.

UNIVERSITY OF REGINA. Faculty of Education. Title of Position: Assistant or Associate Professor in Library Science. 2. Qualifications required: At least a Master's degree in Education with a Doctorate preferred and with substantial background in school Library Science at the elementary and secondary levels preferred. Nature of duties: Undergraduate teaching in curriculum and instruction classes in Library Science to students in both elementary and secondary education. Some participation is required in the supervision of student practice. Salary offered: Salary negotiable according to qualifications and experience. Person to whom inquiries should be addressed: Dean W.N. Toombs, Faculty of Education, University of Regina, Regina, Saskatchewan, S4S 0A2. Effective date of appointment: July 1, 1976. Closing date for receipt of applications: February 1, 1976.

UNIVERSITY OF ALBERTA. Department of Secondary Education. Applications are invited for a proposed position in Drama Education at the assistant professor rank. Current salary range, under negotiation, is \$15,184 - \$19,719. Duties include undergraduate and possibly graduate teaching and supervision of student teachers. Preference given to holders of doctoral degrees and relevant experience. Open to males and females. Applications, including a curriculum vitae and names of referees should be sent to: Dr. G.L. Berry, Chairman, Department of Secondary Education, The University of Alberta, Edmonton, Alberta, T6G 2E1.

MEMORIAL UNIVERSITY OF NEWFOUNDLAND. Department of Curriculum and Instruction. Head of Department. Ph.D. or equivalent with experience in teaching and administration. Administer a department of approximately 30 faculty with undergraduate and graduate programmes. Salary and rank open. Dean, Faculty of Education, Memorial University of Newfoundland, St. John's, Newfoundland. When appointment made. When position filled.

UNIVERSITY OF ALBERTA. Department of Secondary Education. Applications are invited for two vacant positions in social science education, one at the associate professor and one at the assistant professor rank. Duties include both undergraduate and graduate teaching, and supervision of student teachers. Preference given to holders of a doctoral degree and relevant experience. Open to males and females. Salary range: Assistant Professor \$15,184 - \$19,719; Associate Professor \$19,720 - \$25,959, currently under negotiation. Applications, including a curriculum vitae and names of referees, should be sent to: Dr. G.L. Berry, Chairman, Department of Secondary Education, The University of Alberta, Edmonton, Alberta, T6G 2E1.

ENGLISH

UNIVERSITY OF CALGARY. Department of English. Applications are invited at the Assistant Professor level for a vacancy in the area of Children's Literature, commencing July 1, 1976. Candidates should have completed a Ph.D. or its equivalent in an appropriate field and have had university teaching experience. Salary will be dependent on qualifications and experience, but the current scale, subject to revision for 1976-77, is \$14,840 - \$19,390. Application enclosing curriculum vitae and list of referees should be sent to: Dr. H. Dahlie, Head, Department of English, The University of Calgary, 2920-24 Ave. N.W., Calgary, Alberta, Canada, T2N 1N4.

ENVIRONMENTAL STUDIES

UNIVERSITY OF WATERLOO. Faculty of Environmental Studies. Chairman of a unique program in Man-Environment Studies concentrating on innovative undergraduate teaching. Canadian experience advantageous. Teaching staff have varied backgrounds covering the major disciplinary areas. Department in Faculty, which includes Architecture, Geography, and Urban and Regional Planning. Applications with full curriculum vitae should be submitted to P. Brother, Executive Assistant to the Dean, Faculty of Environmental Studies, University of Waterloo, Waterloo, Ontario, Canada.

UNIVERSITY OF WATERLOO. School of Urban and Regional Planning. Faculty of Environmental Studies. To join the faculty of a programme placing emphasis on a broad understanding of contemporary society and environment, and of the diverse analytical and professional skills required for creative planning practice. Teaching Ca-

capacity: Urban and Urban-Centred Regional Planning: Process and Techniques. Issue Interests: Urban-Inner City; Housing, or Leisure (or other urban-related concern). Academic & Professional Qualifications: Attainment in Planning studies and/or related discipline in the Social Sciences, sufficient for in-depth instruction and counselling of Master's and Doctoral students. Actively engaged in research. Canadian Planning experience highly desirable. Rank of Appointment: Assistant or Associate Professor. Appointment as Professor would be considered for outstanding candidate. Salary: Assistant Professor, \$14,500-\$18,850; Associate Professor, \$18,850-\$24,650. Salary within the range and for Professor appointment commensurate with qualifications. Effective: July 1, 1976 or August 1, 1976. Applications: Kindly send to Professor H. Coblenz, Director, School of Urban and Regional Planning, University of Waterloo. Curriculum Vitae would be appreciated. Closing Date: December 31, 1975.

FINE ARTS

UNIVERSITY OF BRITISH COLUMBIA. Department of Fine Arts. Position: Assistant Professor or Associate Professor of Art History. Qualifications required: Ph.D. in 19th & 20th Century architectural history, preference to a candidate with some concern with Canadian architectural history. Other pertinent information: Salary negotiable. Appointment to commence 1 July 1976. Deadline for applications: 1 January 1976. Address enquiries to: Dr. George Knox, Head, Department of Fine Arts, University of British Columbia, 2075 Westbrook Place, Vancouver, B.C., V6T 1W5.

UNIVERSITY OF BRITISH COLUMBIA. Department of Fine Arts. Position: Instructor, Assistant Professor or Associate Professor of Art History. Qualifications required: Ph.D. or near Ph.D. in Pre-Columbian Art, preference for a specialist in Mexican or Central American area. Other pertinent information: Salary negotiable. Appointment to commence 1 July 1976. Deadline for applications: 1 January 1976. Address enquiries to: Dr. George Knox, Head, Department of Fine Arts, University of British Columbia, 2075 Westbrook Place, Vancouver, B.C., V6T 1W5.

GEOGRAPHY

UNIVERSITY OF GUELPH. Department of Geography. Applications are invited for the following positions: Assistant or Associate Professors (3). July 1, 1976. Salary ranges \$15,550 - \$24,000. **Position 1:** Urban or resources specialty, with ability to teach introductory cultural, economic or cartography. **Position 2:** Soviet Union or Japan specialty, with ability to teach introductory economic, cultural or cartography. **Position 3:** Recreational resources specialty, with ability to teach introductory physical, economic or cartography. Visiting Assistant or Associate Professors (2). July 1, 1976 - June 30, 1977. Salary ranges \$15,500 - \$24,000. **Position 1:** Urban-quantitative specialty, with ability to teach introductory economic, cultural or cartography. **Position 2:** Pacific area - cultural specialty, with ability to teach Japan, South Pacific or cartography. Submit curriculum vitae and the names of three referees. Closing date March 1, 1976. Apply: Dr. C.N. Forward, Head, Department of Geography, University of Victoria, Victoria, B.C., Canada, V8W 2Y2. The University of Victoria reserves the right not to fill these vacancies.

YORK UNIVERSITY. Department of Geography. Applications are invited for a position in biogeography from persons with research interests in ecosystem analysis. Very strong preference for someone at a senior level who can participate in ongoing research and graduate-level teaching. Salary open to negotiation. Please submit applications to Dr. Wm. C. Found, Chairman, Department of Geography, Faculty of Arts, York University, 4700 Keele St., Downsview, Ontario, M3J 1P3.

SCARBOROUGH COLLEGE — UNIVERSITY OF TORONTO. Department of Geography. It is expected that an appointment in Geography will be made at the Assistant Professor level, but possibly higher, commencing July 1, 1976. Applications are invited from candidates with interest in any field of Geography, but preference will be given to those with research and teaching interest in at least one of the following areas: urban, economic, environment, hydrology, climatology. Competence in the teaching of quantitative techniques would be an advantage. Applicants should possess a Ph.D. degree or be in the final stages of its completion. Salaries are competitive. Applications, together with a curriculum vitae should be sent by February

29, 1976 to Professor L. Tarshis, Chairman, Division of Social Sciences, Scarborough College, West Hill, Ontario, M1C 1A4.

HISTORY

UNIVERSITY OF ALBERTA. Department of History. Canadian History. The Department of History, University of Alberta, Edmonton, invites applications from persons for a position as Professor or Associate Professor in Canadian History. Particularly welcome are specialists in the West, or in twentieth-century Canada but all applications will be considered. Duties will involve both undergraduate and graduate teaching. Salary floor (1975-76) for Associate Professor is \$19,720 and for Professor is \$25,960. Applications, in the form of a personal letter accompanied by a curriculum vitae, and the names of three referees, should reach the undersigned before February 1, 1976. The University of Alberta offers equal opportunity for employment to qualified male and female candidates. Dr. W.J. Jones, Chairman, Department of History, University of Alberta, Edmonton, Alberta, T6G 2H4.

UNIVERSITY OF WESTERN ONTARIO. Department of History. One or more one-year leave replacement appointments expected in Canadian history, subject to funds being available. Lecturer or Assistant Professor, depending on qualifications. Ph.D. or near, minimum requirement, teaching experience desirable. Salary dependent on rank and qualifications. J.N. Thompson, Chairman, Department of History, University of Western Ontario, London, Ontario, N6A 5C2. 31 December 1975.

UNIVERSITY OF WESTERN ONTARIO. Department of History. Appointment expected in early modern European (excluding British) history, subject to funds being available. Preference will be given to specialists in French or Spanish history. Lecturer, Assistant Professor, possibly Associate Professor. Ph.D. or near, minimum requirement, teaching experience and publications desirable. Salary dependent on rank and qualifications. J.N. Thompson, Chairman, Department of History, University of Western Ontario, London, Ontario, N6A 5C2. 15 January 1976.

UNIVERSITY OF WESTERN ONTARIO. Department of History. Possible one-year replacement appointment in modern West European history, if research grant received by incumbent. Lecturer or Assistant Professor. Ph.D. or near, minimum requirement, teaching experience desirable. Salary dependent on rank and qualifications. J.N. Thompson, Chairman, Department of History, University of Western Ontario, London, Ontario, N6A 5C2. 15 January 1976.

UNIVERSITY OF WESTERN ONTARIO. Department of History. Possible one-year leave replacement in U.S. social and/or economic history, if research grant received by incumbent. Lecturer or Assistant Professor. Ph.D. or near, minimum requirement, teaching experience desirable. Salary dependent on rank and qualifications. J.N. Thompson, Chairman, Department of History, University of Western Ontario, London, Ontario, N6A 5C2. 1 February 1976.

UNIVERSITY OF WESTERN ONTARIO. Department of History. Appointment in strategic studies and the history of war, subject to funds being available. All ranks considered. Ph.D. or near, minimum qualifications, teaching experience and publications desirable. Salary dependent on rank and qualifications. J.N. Thompson, Chairman, Department of History, University of Western Ontario, London, Ontario, N6A 5C2. 1 December 1975.

HOME ECONOMICS

UNIVERSITY OF SASKATCHEWAN. College of Home Economics. A senior position is available for a human nutritionist. Applicants with Ph.D. degree preferred. Extensive research experience is desired as the person appointed to this position will be expected to initiate the development of a strong research program in human nutrition associated with current food science research. Teaching duties will depend on the candidate's area of specialization and could include developing new classes at the graduate or senior undergraduate level. The candidate must have the ability to participate in interdisciplinary studies and teaching. It is anticipated that approximately equal time will be devoted to research and teaching/administration. This appointment would be the first step in a continuing program of strengthening the area of Foods/Nutrition education and research in the College. Salary and academic rank will be

commensurate with the qualifications and experience of the applicant. The position will be filled as soon as possible. Submit application with curriculum vitae to: Miss M.J. Guilford, Acting Dean, College of Home Economics, University of Saskatchewan, Saskatoon, Saskatchewan, S7N 0W0.

HUMAN KINETICS

UNIVERSITY OF WINDSOR. Faculty of Human Kinetics. Health Studies. Applications are invited for a permanent position in the Faculty of Human Kinetics, University of Windsor. Duties to commence January 1st or July 1st, 1976. Ph.D. required. Teaching in the Health Studies stream in the Honours undergraduate Human Kinetics program and in the Master's program. Involvement in program development. Salary and rank commensurate with experience: Salary scale '75-76: Lecturer, \$11,380 - \$15,432; Assistant Professor, \$14,016 - \$20,233; Associate Professor, \$18,540 - no ceiling. Apply to P.J. Galasso, Ph.D., Dean, Faculty of Human Kinetics, University of Windsor, Windsor, Ontario, Canada, N9B 3P4 and enclose full curriculum vitae and names of three individuals for references.

HUMAN RELATIONS AND COUNSELLING STUDIES

UNIVERSITY OF WATERLOO. Department of Human Relations and Counselling Studies. 2 (two) positions. Title of Position: Associate Professor (other ranks may be considered). Qualifications Required: Ph.D. or equivalent. Background in any of the human sciences, e.g. psychology, counselling, sociology, education, psychiatry, philosophy or social planning. Must be qualified to supervise doctoral dissertation work. Extensive experience in multi-disciplinary teaching and research as might be applied to individual group, organizational and/or community settings. Qualified women and men are encouraged to apply. Nature of Duties: Teaching in doctoral, master's and undergraduate programs. Supervising graduate research. Substantially contributing to the development of the Department's undergraduate program. Contributing to the integration of humanistic theory, research and practice. Salary Offered: Assistant Professor - \$14,500; Associate Professor - \$18,900; Professor - \$24,700. Name of Person to Whom Inquiries Should be Sent: Professor Arthur Wiener, Acting Chairman, Department of Human Relations and Counselling Studies, University of Waterloo, Waterloo, Ontario, N2L 3G1, Canada. Effective Date of Appointment: Possibilities include: 1 January 1976, 1 April 1976, 1 July 1976, 1 September 1976. Closing Date for Receipt of Application: 31 July, 1976.

LAW

UNIVERSITY OF SASKATCHEWAN. College of Law. Applications are invited for faculty positions at all professorial levels to commence July 1, 1976, or as visiting professors. Applications with curriculum vitae and names of three referees should be sent to Dean Douglas A. Schmeiser, College of Law, University of Saskatchewan, Saskatoon, Sask., S7N 0W0.

MANAGEMENT SCIENCES

UNIVERSITY OF WATERLOO. Department of Management Sciences. Applications are invited for a faculty position, rank open, in the Department of Management Sciences. Applicant should possess a Ph.D. and evidence of research and teaching capability in Organization Theory and Organizational Behaviour. Duties will involve both teaching and supervising graduate student research in these areas. Current salary floors are: assistant professor \$14,500, associate professor — \$18,900, professor — \$24,700. Send curriculum vitae and reprints of representative publications to Professor S.D. Saleh, Chairman, Department of Management Sciences, University of Waterloo, Waterloo, Ontario.

MATHEMATICS AND STATISTICS

UNIVERSITY OF CALGARY. Department of Mathematics and Statistics. The Statistics Division has a vacancy at the Assistant Professor level as from July 1st, 1976. Qualifications: A Ph.D. degree with specialization in Non-parametric Statistics, Sampling Theory or Statistical Inference; some teaching experience; active research. Apply to: Chairman, Statistics Division, Department of Mathematics & Statistics, The University of Calgary, Calgary, Alberta, T2N 1N4.

MUSIC

YORK UNIVERSITY. Department of Music. Applications are invited for an appointment in composition and theory. Salary, rank and type of appointment to be negotiated. Preference will be given to the applicant with considerable experience and reputation as a composer and with wide teaching interests. Duties to include undergraduate classes in composition and theory/analysis, a studio course in techniques of electronic music, and a seminar in contemporary musical idioms and approaches. The appointment is effective July 1, 1976. Closing date for applications is March 1, 1976. Send applications, with curriculum vitae and letters of reference, to Chairman, Department of Music, York University, 4700 Keele St., Downsview, Ontario, M3J 1P3.

UNIVERSITY OF BRITISH COLUMBIA. Department of Music. Theory and/or Composition. Position: Assistant or Associate Professor of Music. Qualifications: Ph.D., D.M.A. or equivalent; substantial undergraduate and graduate teaching experience and a record of significant publications or compositions. Duties: Undergraduate and graduate courses and seminars such as theory and analysis, history of theory, composition and thesis advising. Salary: Negotiable, according to qualifications and experience. Applications and Inquiries: Professor Eugene N. Wilson, Department of Music, The University of British Columbia, Vancouver, B.C., Canada, V6T 1W5. Appointment date: July 1, 1976. Closing date for Applications: February 15, 1976 or until position is filled. Note: The University of British Columbia offers equal opportunity for employment to qualified male and female candidates.

UNIVERSITY OF BRITISH COLUMBIA. Department of Music. Brass Instruction and Instrumental Conducting. Position: Assistant or Associate Professor of Music, instructor of brasses and conductor of wind ensembles. Qualifications: D.M.A. or equivalent; substantial undergraduate teaching experience. Preference given to artist performer. Duties: Undergraduate teaching and performance. Salary: Negotiable, according to qualifications and experience. Applications and Inquiries: Professor Eugene N. Wilson, Department of Music, The University of British Columbia, Vancouver, B.C., Canada, V6T 1W5. Appointment date: July 1, 1976. Closing date for Applications: February 15, 1976 or until position is filled. Note: The University of British Columbia offers equal opportunity for employment to qualified male and female candidates.

PHARMACOLOGY

QUEEN'S UNIVERSITY. Department of Pharmacology. A vacancy exists for an Assistant Professor with a Ph.D. or M.D. degree, and post-doctoral training. Preference will be given to candidates with research experience in cardiovascular, renal or neuropharmacology. The commencing salary is \$14,500 p.a. (subject to adjustment of July 1, 1976). The duties include teaching of medical and arts and science undergraduates, and the development of an independent research program. Applications, containing curriculum vitae and names of three references, should be sent to, Dr. G.S. Marks, Department of Pharmacology, Queen's University, Kingston, Ontario, K7L 3N6.

PHILOSOPHY

UNIVERSITY OF ALBERTA. Department of Philosophy. The Department announces two or possibly three vacant positions on its full-time regular staff. One of these positions may be filled at any rank up to and including Associate Professor. Another may be filled at any rank. Effective date of appointment is 1st July 1976. The Department also expects to be making several temporary 9-month leave replacement appointments for the winter session 1976-7. Applications are welcome from men and women in any field of philosophy. The Chairmanship of the Department falls vacant on 1st July 1976. Any senior applicant wishing also to be considered for this position should indicate as much on his/her application. 1975-6 salary levels (1976-7 levels under review): Lecturer \$11,884 - 15,183; Assistant Professor \$15,184 - 19,719; Associate Professor \$19,720 - 25,959; Professor (floor) \$25,960. Applications including curriculum vitae and the names of at least 3 referees to: Staff Selection Advisory Committee, Department of Philosophy, 4-108 Humanities Centre, University of Alberta, Edmonton, Alberta, Canada, T6G 2E9.

POLITICAL SCIENCE

UNIVERSITY OF ALBERTA. Department of Political Science. Applications are invited for the position of Chairperson to administer a 21 member department. Effective date July 1, 1976, term 3 to 5 years, renewable. (Subject to availability of funds). The University of Alberta gives equal consideration to female and male applicants. Applications should be addressed to F.C. Engeimann, Chairman, Search Committee, Department of Political Science, University of Alberta, Edmonton, Alberta, T6G 2E1.

PSYCHOLOGY

UNIVERSITY OF WESTERN ONTARIO. Department of Psychology. The Department of Psychology announces an academic vacancy for a Child Psychologist with experience and research interests in the field of Early Childhood Education. The minimum qualification is a Ph.D. Rank and salary are negotiable in terms of the qualifications of the candidate. Appointment effective July 1, 1976 pending confirmation of funds. Applications should be addressed to: Dr. Mary J. Wright, Professor and Director of the University Laboratory Preschool, Department of Psychology, University of Western Ontario, London, Canada, N6A 5C2. In view of the Canadian postal stoppage send your application and necessary credentials to c/o P.O. Box 54 — Marysville, Michigan 148040, USA or telephone directly Dr. Mary J. Wright 1-519-679-6012.

UNIVERSITY OF WESTERN ONTARIO. Department of Psychology. The Department of Psychology wishes to announce one opening for a Ph.D. in Developmental or Child Psychology effective July 1, 1976 (pending confirmation of funds). Both rank and salary are negotiable. All areas of specialization will be considered. Responsibilities include supervising graduate student research to the doctoral level and teaching two courses in the candidate's area of interest. Applicants should submit a vita, names of three references, and a letter describing their research and teaching interests to: Marvin L. Simner, Ph.D., Chairman, Developmental Area Committee, Department of Psychology, Social Science Centre, University of Western Ontario, London, Ontario, N6A 5C2. In view of the Canadian postal stoppage send your application and necessary credentials to c/o P.O. Box 54 — Marysville, Michigan 148040, USA or telephone directly Marvin L. Simner — 519-679-3502.

CONCORDIA UNIVERSITY — LOYOLA CAMPUS. Department of Psychology. Concordia University, Loyola Campus, invites applications for a) position in cognitive psychology and, b) potential positions (subject to funding) in developmental, physiological, statistics and research methods (experimental and field methods), history of psychology, measurement and scaling. All openings at the assistant professor level, June 1976. Ph.D. required. Duties: Undergraduate teaching although research desirable. Salaries competitive and open for negotiation. Application to include detailed vita and listing of teaching preferences in terms of area. Applications to be sent to: J.H. Bauer, Personnel Committee, Department of Psychology, Concordia University, Loyola Campus, 7141 Sherbrooke Street West, Montreal, Quebec, H4B 1R6, Canada, not later than April 1, 1976.

SCIENCE

BRANDON UNIVERSITY. Faculty of Science. 1. Dean of Science, with duties to commence January 1, 1976, or any date prior to September 1, 1976. 2. Applicants should be of sufficient stature to qualify for

a tenured appointment and will be expected to carry a small teaching load. 3. The Dean is the senior administrative officer for eight departments which comprise the Faculty of Science, namely, Botany, Chemistry, Geography, Geology, Mathematics and Computing Science, Physics, Psychology, and Zoology, and is expected to provide leadership in both teaching and research. 4. Letters of application, together with curriculum vitae and the names and addresses of three referees, should be mailed or telephoned (204-728-9520, extension 311) or telexed (07502721) collect, to the Chairman of the Selection Committee: Dr. A.L. Dummage, Brandon University, Brandon, Manitoba, R7A 6A9. 5. Applications should be received by December 15, 1975.

UNIVERSITY OF WESTERN ONTARIO. Liberal Studies in Science. Visiting Assistant-Professor; one-year appointment, 1 July 1976 — 30 June 1977, subject to the availability of funds. Ph.D. in Chemistry (preferably organic chemistry) together with considerable interest, and preferably teaching experience in areas related to the History of Science. Undergraduate teaching, partly in Chemistry, and also in an experimental Liberal Studies in Science course offered by the Faculty of Science. Not less than \$14,500. Dr. A.E. Scott, Dean, Faculty of Science, Natural Sciences Centre, University of Western Ontario, London, Ontario, N6A 5B7. 1 July 1976. January 15, 1976.

SYSTEMS DESIGN

UNIVERSITY OF WATERLOO. Department of Systems Design. The Department of Systems Design, Faculty of Engineering, University of Waterloo, seeks nominations or applicants for a limited number of key positions on the Faculty at all levels. The Department offers many opportunities for creative academic work and research; applicants are sought who can demonstrate leadership or potential in its areas of interests. The main areas of the Department's interests concern human, socio-economic and physical systems together with the theories and techniques that lead to their analysis and design in a comprehensive way. Since 1969 the Department has run a unique transdisciplinary undergraduate programme with emphasis on engineering project leadership and on the coaching of design skills. Masters and doctoral programmes reflect the ongoing research of its faculty in many different fields. The Department is seeking applicants with the capacity to identify principles and theoretical concepts which these fields may hold in common, and with a concern for relating, through a unifying systems approach, the technology of engineering design and practice to its broader human and socio-economic settings. Applications and enquiries should be addressed as soon as possible to: Professor H.K. Kesavan, Department of Systems Design, University of Waterloo, Waterloo, Ontario, N2L 3G1, Canada. Telephone: (519) 885-1211, ext. 2601.

ZOOLOGY

UNIVERSITY OF GUELPH. Department of Zoology. SENIOR TERRESTRIAL ECOLOGIST. The Department of Zoology offers a faculty position for a Terrestrial Ecologist. It is anticipated that the post will be filled at a senior rank. Candidates should have a strong research background preferably in the area of Mammalian Population Biology, and will be expected to teach at the graduate and undergraduate level. Applications should include a curriculum vitae and names of two referees, and be sent to The Chairman, Department of Zoology, College of Biological Science, University of Guelph, Guelph, Ontario, N1G 2W1, Canada.

THE CAUT BULLETIN

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